

356, Old House Office Building, on the report of the investigation of the Veterans' Administration.

COMMITTEE ON EXPENDITURES IN THE EXECUTIVE DEPARTMENTS

The Committee on Expenditures in the Executive Departments will hold hearings on surplus property on Friday, March 8, 1946, at 10 a. m., in room 304, Old House Office Building.

COMMITTEE ON THE JUDICIARY

On Wednesday, March 13, 1946, Subcommittee No. 1 of the Committee on the Judiciary will hold hearings on the following bills, relating to United States commissioners: H. R. 2460 (S. 346), H. R. 2461 (S. 345), H. R. 2462 (S. 344), and H. R. 2464 (S. 344).

The hearing will begin at 10 a. m. and will be held in room 346, House Office Building.

On Monday, March 18, 1946, Subcommittee No. 3 of the Committee on the Judiciary has scheduled a hearing on the bill (H. R. 5234) to authorize the Federal Security Administrator to assist the States in matters relating to social protection, and for other purposes.

The hearing will begin at 10 a. m., and will be held in room 346, House Office Building.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1120. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year 1947 in the amount of \$1,000,000 for the Department of Commerce, in the form of an amendment to the Budget for said fiscal year (H. Doc. No. 496); to the Committee on Appropriations and ordered to be printed.

1121. A letter from the Secretary, American Chemical Society, transmitting the annual report of the American Chemical Society for the calendar year 1945; to the Committee on the Judiciary.

1122. A letter from the Secretary of the Navy, transmitting a draft of a proposed bill to enact certain provisions now included in the Naval Appropriation Act, 1946, and for other purposes; to the Committee on Naval Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SABATH: Committee on Rules, House Resolution 544. Resolution providing for the consideration of H. R. 2115, a bill relating to the domestic raising of fur-bearing animals; without amendment (Rept. No. 1684). Referred to the House Calendar.

Mr. SABATH: Committee on Rules, House Resolution 545. Resolution providing for the consideration of H. R. 2501, a bill to authorize the Secretary of Agriculture to continue administration of and ultimately liquidate Federal rural rehabilitation projects, and for other purposes; without amendment (Rept. No. 1685). Referred to the House Calendar.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on Pensions was discharged from

the consideration of the bill (H. R. 5511) granting a pension to Mrs. Lillian P. Seale, widow of Auva A. Seale, deceased, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BLOOM:

H. R. 5699. A bill to amend the Civil Service Retirement Act, approved May 29, 1930, as amended, so as to make such act applicable to officers and employees of the Columbia Institution for the Deaf; to the Committee on the Civil Service.

By Mr. LANE:

H. R. 5700. A bill to amend the Mustering-Out Payment Act of 1944, as amended, to provide mustering-out payments for certain persons discharged or relieved from active service in the armed forces to accept employment; to the Committee on Military Affairs.

By Mr. BRYSON:

H. R. 5701. A bill to amend the District of Columbia Barber Act; to the Committee on the District of Columbia.

By Mrs. ROGERS of Massachusetts:

H. R. 5702. A bill relating to veterans' priorities and preferences in purchasing surplus property suitable for residential purposes; to the Committee on Expenditures in the Executive Departments.

By Mr. VOORHIS of California:

H. J. Res. 325. Joint resolution to prevent the use of grain for nonessential purposes during the period of shortage; to the Committee on Agriculture.

By Mr. PATTERSON:

H. Res. 546. Resolution reaffirming faith in the United Nations idea and opposing the formation of blocs of nations; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CASE of South Dakota:

H. R. 5703. A bill for the relief of Charles L. Cannon; to the Committee on Claims.

By Mr. FARRINGTON:

H. R. 5704. A bill for the relief of Mrs. Charles C. Lee; to the Committee on Immigration and Naturalization.

H. R. 5705. A bill for the relief of Y. S. Hu; to the Committee on Claims.

By Mr. HEFFERNAN:

H. R. 5706. A bill for the relief of Joseph H. Dowd; to the Committee on Claims.

By Mr. LARCADE:

H. R. 5707. A bill for the relief of Edwin Doyle Parrish; to the Committee on Claims.

By Mr. McMILLAN of South Carolina:

H. R. 5708. A bill for the relief of Thomas W. Williamson, Sr.; to the Committee on Claims.

H. R. 5709. A bill for the relief of Ellis Duke, also known as Elias Duke; to the Committee on Claims.

H. R. 5710. A bill to authorize and direct the Commissioners of the District of Columbia to set aside the trial-board conviction of Leo Murray and his resultant dismissal, and to reinstate Leo Murray as private, Metropolitan Police Department; to the Committee on the District of Columbia.

By Mr. PETERSON of Florida:

H. R. 5711. A bill for the relief of Francis S. Roe; to the Committee on Pensions.

By Mr. RICHARDS:

H. R. 5712. A bill for the relief of Mrs. Mabel Jones and Miss Mildred Wells; to the Committee on Claims.

By Mr. TRAYNOR:

H. R. 5713. A bill for the relief of the estate of James W. Taylor 3d; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1680. By Mr. CANFIELD: Resolution passed by the New Jersey State Council of Churches, endorsing legislation now in Congress (S. 1349 and H. R. 3914) which amends the Fair Labor Standards Act to provide a 65-cent hourly minimum wage, extension of coverage to additional industries, and extension of child-labor control; to the Committee on Labor.

1681. By Mr. COLE of New York: Petition of members of Hornell Accounting Bureau Lodge No. 486, of the Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees of the city of Hornell, N. Y., in opposition to the proposed construction of the St. Lawrence seaway project; to the Committee on Rivers and Harbors.

1682. By the SPEAKER: Petition of the Women's Democratic League of Long Beach, petitioning consideration of their resolution with reference to urging adoption of the Missouri Valley Authority; to the Committee on Rivers and Harbors.

SENATE

FRIDAY, MARCH 8, 1946

(Legislative day of Tuesday, March 5, 1946)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Almighty and eternal God, Thou art the center and soul of every spinning sphere in the vastnesses of space that mocks our imagination, yet Thou art to each trusting heart how near. We are but the frail children of time and, from everlasting to everlasting, Thou art God. Yet even as we tread the earth the sky stoops to meet us, so Thy completeness meets our incompleteness as our fainting hearts cry out in the midst of every weakness and every need:

"All this God is all for me,
A Father all my own."

We come conscious that the regal fact of Thy fatherhood ties us to every son and daughter of Thine under the spreading canopy of Thy universal love. May the great causes that concern Thy human family, the selfless ministries that heal the world and rebuild it, the attitudes that create good will and make abiding peace possible at last, gain the utter allegiance of our labor and our love. In the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, March 5, 1946, was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. WHITE. Mr. President, I ask unanimous consent that the junior Senator from North Dakota [Mr. Young] may be excused from attendance upon the sessions of the Senate for a period of 10 days.

The PRESIDENT pro tempore. Without objection, leave of the Senate is granted.

NOTICE OF HEARING ON NOMINATION OF BRICE CLAGETT TO BE ASSOCIATE JUDGE, MUNICIPAL COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA

Mr. McCARRAN. Mr. President, on behalf of the Committee on the Judiciary, and in accordance with the rules of the committee, I desire to give notice that a public hearing has been scheduled for Friday, March 15, 1946, at 10:30 a. m., in the Senate Judiciary Committee room, upon the nomination of Brice Clagett, of Maryland, to be associate judge of the Municipal Court of Appeals for the District of Columbia, vice Hon. Nathan Cayton, elevated. At the indicated time and place all persons interested in the nomination may make such representations as may be pertinent. The subcommittee consists of the Senator from Nevada [Mr. McCARRAN], chairman, the Senator from Mississippi [Mr. EASTLAND], and the Senator from Oklahoma [Mr. MOORE].

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on March 6, 1946, the President had approved and signed the act (S. 1129) for the relief of Willie H. Johnson.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed without amendment the following bills of the Senate:

S. 176. An act for the relief of the city of Memphis, Tenn., and Memphis Park Commission;

S. 1532. An act to authorize the appointment of certain persons as permanent brigadier generals of the line of the Regular Army;

S. 1535. An act to authorize the Secretary of War to convey certain lands situated within the Fort Douglas Military Reservation to the Shriners' Hospitals for Crippled Children; and

S. 1637. An act for the relief of Herbert C. Rockwell.

The message also announced that the House had passed the following bills in which it requested the concurrence of the Senate:

H. R. 216. An act for the relief of John Seferian and Laura Seferian;

H. R. 988. An act for the relief of Bernice B. Cooper, junior clerk-typist, Weatherford, Tex., rural rehabilitation office, Farm Security Administration, Department of Agriculture;

H. R. 1235. An act for the relief of John Bell;

H. R. 1262. An act for the relief of W. E. Noah;

H. R. 1269. An act for the relief of Virge McClure;

H. R. 1352. An act for the relief of Herman Feinberg;

H. R. 1759. An act for the relief of Mildred Neffier;

H. R. 2156. An act for the relief of Lee Harrison;

H. R. 2217. An act for the relief of Rae Glauber;

H. R. 2331. An act for the relief of Mrs. Grant Logan;

H. R. 2509. An act for the relief of the legal guardian of James Irving Martin, a minor;

H. R. 2682. An act for the relief of John Doshin;

H. R. 2750. An act for the relief of Stephen A. Bodkin, Charles A. Marlin, Andrew J. Perllick, and Albert N. James;

H. R. 2848. An act for the relief of the legal guardian of Wilma Sue Woods, Patsy Woods, Raymond E. Hilliard, and Thomas E. Hilliard, minors;

H. R. 2885. An act for the relief of Mrs. Frank Mitchell and J. L. Price;

H. R. 2904. An act for the relief of Clyde Rownd, Della Rownd, and Benjamin C. Day;

H. R. 3065. An act for the relief of Standard Dredging Corp.;

H. R. 3076. An act for the relief of the estate of Nellie P. Dunn, deceased;

H. R. 3100. An act for the relief of the legal guardian of Rolland Lee Frank, a minor;

H. R. 3161. An act for the relief of Mrs. Ruby Miller;

H. R. 3185. An act for the relief of the estate of Senia Lassila, deceased;

H. R. 3217. An act for the relief of Mattie Lee Wright;

H. R. 3355. An act for the relief of Elizabeth Jones Hansel;

H. R. 3365. An act for the relief of Kay Beth Bednar;

H. R. 3391. An act for the relief of Lawrence Portland Cement Co.;

H. R. 3400. An act for the relief of Herbert W. Rogers;

H. R. 3480. An act for the relief of Miss Ruth Lois Cummings;

H. R. 3483. An act for the relief of Mr. and Mrs. Cipriano Vasquez;

H. R. 3525. An act for the relief of Owen Young;

H. R. 3591. An act for the relief of Addie Pruitt;

H. R. 3823. An act for the relief of Gertrude McGill;

H. R. 3846. An act for the relief of the estate of Eleanor Wilson Lynde, deceased;

H. R. 3948. An act for the relief of Mrs. Clifford W. Prevatt;

H. R. 3985. An act for the relief of Kilpatrick Bros. Co.;

H. R. 4115. An act for the relief of the estate of Eleanor Doris Barrett;

H. R. 4174. An act for the relief of Meyer G. Hansen;

H. R. 4208. An act for the relief of the Calvert Distilling Co.;

H. R. 4210. An act for the relief of the estate of Bob Clark and the estate of George D. Croft;

H. R. 4270. An act for the relief of Southern California Edison Co., Ltd.;

H. R. 4400. An act for the relief of Nolan V. Curry, individually, and as guardian for his minor son, Hershel Dean Curry;

H. R. 4401. An act for the relief of Joe F. Rada and Bessie Rada;

H. R. 4414. An act for the relief of Eva D. Champlin, Robert H. Howell, Emily Howell, and Stella Ward;

H. R. 4418. An act for the relief of the city of San Diego, Tex.;

H. R. 4537. An act for the relief of Lillian Jacobs;

H. R. 4607. An act for the relief of Margaret Lee and Mike Sopko;

H. R. 4609. An act for the relief of Jerome Dove;

H. R. 4647. An act for the relief of Albert R. Perkins;

H. R. 4693. An act for the relief of Richard C. Ward;

H. R. 4712. An act for the relief of Caroline M. Newmark and Melville Moritz;

H. R. 4761. An act to amend the National Housing Act by adding thereto a new title relating to the prevention of speculation and excessive profits in the sale of housing, and to insure the availability of real estate for housing purposes at fair and reasonable prices, and for other purposes;

H. R. 4801. An act for the relief of Raymond P. Guidoboni;

H. R. 4884. An act to relieve certain employees of the Veterans' Administration from financial liability for certain overpayments and allow such credit therefor as is necessary in the accounts of Guy F. Allen, chief disbursing officer;

H. R. 5529. An act to authorize the President to appoint Lt. Gen. Walter B. Smith as Ambassador to the Union of Soviet Socialist Republics, without affecting his military status and perquisites; and

H. R. 5671. An act making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1946, and for other purposes.

REPORTS OF NAVAL AFFAIRS COMMITTEE FILED DURING THE RECESS

Under the authority of the order of the Senate of the 5th instant,

Mr. WALSH, from the Committee on Naval Affairs, submitted the following reports on March 7, 1946:

S. 1812. A bill to provide reimbursement for personal property lost, damaged, or destroyed as the result of explosions at the naval ammunition depot, Hastings, Nebr., on April 6, 1944, and September 15, 1944; without amendment (Rept. No. 1016);

S. 1862. A bill to repeal section 1548, Revised Statutes (34 U. S. C. 592); without amendment (Rept. No. 1017);

S. 1872. A bill to provide for the rank of original appointments in the Corps of Civil Engineers of the United States Navy, and for other purposes; with an amendment (Rept. No. 1018); and

S. 1907. An original bill to authorize permanent appointments in the Regular Navy and Marine Corps, and for other purposes (Rept. No. 1019).

REPORT OF NATIONAL ADVISORY COUNCIL ON FOREIGN LOAN POLICY—MESSAGE FROM THE PRESIDENT

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States, which was read and referred to the Committee on Banking and Currency, as follows:

(For message this day received, see proceedings of the House of Representatives, p. 2060.)

PERMANENT APPOINTMENTS IN THE GRADES OF GENERAL OF THE ARMY, FLEET ADMIRAL OF THE NAVY, AND GENERAL IN THE MARINE CORPS

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the bill (S. 1354) to authorize the permanent appointment in the grades of general of the Army, fleet admiral of the United States Navy, and general in the Marine Corps, respectively, of certain individuals who have served in such grades during the Second World War, which were, on page 2, line 2, strike out "August" and insert "December";

On page 2, line 9, after "who", insert "has been or";

On page 2, line 12, strike out all after "and" down to and including "duty" in line 15 and insert "while on the retired list shall be entitled to receive 75 percent

of the base pay of a rear admiral of the upper half and 75 percent of the personal money allowance prescribed by section 4 of such act of December 14, 1944";

On page 2, line 25, after "who", insert "has been or";

On page 3, line 3, strike out all after "and" down to and including "duty" in line 6 and insert "while on the retired list shall be entitled to receive 75 percent of the base pay of a rear admiral of the upper half and 75 percent of the personal money allowance prescribed by section 3 of such act of March 21, 1945.

"Sec. 3. The President is hereby authorized, by and with the advice and consent of the Senate, to appoint to the permanent grade of admiral in the Coast Guard any individual who shall have served as Commandant of the Coast Guard, with the grade and rank of admiral, after March 21, 1945, and before August 14, 1945. Any officer appointed under the provisions of this section shall receive the pay and allowances prescribed by section 3 of the act of March 21, 1945 (Public Law 20, 79th Cong.); and any such officer who has been or may hereafter be retired or relieved from active duty shall be entitled to have his name placed on the retired list with the highest grade or rank held by him on the active list or while on active duty, and while on the retired list shall be entitled to receive 75 percent of the base pay of a rear admiral of the upper half and 75 percent of the personal money allowance prescribed by section 3 of such act of March 21, 1945"; and

Amend the title so as to read: "An act to authorize the permanent appointment in the grades of general of the Army, fleet admiral of the United States Navy, general in the Marine Corps, and admiral in the Coast Guard, respectively, of certain individuals who have served in high grades during the Second World War."

Mr. THOMAS of Utah. Mr. President, I move that the Senate disagree to the amendments of the House, request a conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the President pro tempore appointed Mr. THOMAS of Utah, Mr. JOHNSON of Colorado, Mr. HILL, Mr. AUSTIN, and Mr. BRIDGES conferees on the part of the Senate.

INVITATION FOR FOUR MEMBERS OF THE SENATE TO VISIT BERMUDA

The PRESIDENT pro tempore laid before the Senate a letter from the president of the legislative council, and joint president of the Bermuda branch of the Empire Parliamentary Association, which was referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

LEGISLATIVE COUNCIL,
Bermuda, February 14, 1946.

The Honorable KENNETH MCKELLAR,
President of the Senate of the United States, The Senate, Washington, D. C.

DEAR SENATOR MCKELLAR: As president of the Legislative Council of the Parliament of Bermuda and joint president of the Bermuda branch of the Empire Parliamentary Association, I am writing to you to extend

an invitation for four members of your Senate to visit Bermuda for a period of about 10 days from June 10 next, as guests of the Bermuda branch of the association.

During that time the Bermuda branch will be the hosts in the Colony to delegations of members of all parties from the Parliaments of the United Kingdom and the Dominion of Canada. It is hoped also to have representatives of the Parliaments of the Australian Commonwealth, New Zealand, and the Union of South Africa, and possibly a representative of the Central Legislature of India.

The Bermuda branch of the association have lively recollections of the courtesies extended to their representatives who took part in the parliamentary gathering at Ottawa in 1943 at the invitation of the Dominion of Canada branch of the association, and who subsequently visited Washington as the guests of the Congress of the United States. Being impressed with the value of the parliamentary contacts and interchanges of views which took place on that occasion, the members of this legislature would propose, if this invitation is accepted, to provide opportunities during the visit for the discussion of some matters of common interest at informal conferences.

I should like to assure you that if it is found possible to accept this invitation, which I earnestly hope will be the case, the representatives of your Senate will receive a warm welcome from the Parliament and people of these islands.

I take the opportunity of extending to you personally my most cordial greetings and of expressing to you in your high office my feelings of deep admiration and respect.

Yours sincerely,

C. BROOKE FRANCIS,
President of the Legislative Council,
and Joint President of the Bermuda Branch of the Empire Parliamentary Association.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

RELIEF OF CERTAIN POSTMASTERS

A letter from the Postmaster General transmitting a draft of proposed legislation for the relief of certain postmasters (with an accompanying paper); to the Committee on Post Offices and Post Roads.

MAIL SERVICE ON LAKE WINNEPESAUKEE, N. H.

A letter from the Postmaster General, transmitting a draft of proposed legislation relating to mail service on Lake Winnepesaukee, N. H. (with an accompanying paper); to the Committee on Post Offices and Post Roads.

RECREATIONAL RESOURCES OF THE ALASKA HIGHWAY AND OTHER ROADS IN ALASKA

A letter from the Acting Secretary of the Interior, transmitting, pursuant to law, a report of the recreational resources of the Alaska Highway and other roads in Alaska (with an accompanying report); to the Committee on Public Lands and Surveys.

ESTABLISHMENT OF TWO ADDITIONAL OFFICES OF ASSISTANT SECRETARIES OF AGRICULTURE

A letter from the Secretary of Agriculture, transmitting a draft of legislation to establish two additional offices of Assistant Secretaries of Agriculture, and for other purposes (with an accompanying paper); to the Committee on Agriculture and Forestry.

REPORT OF NATIONAL MEDIATION BOARD AND NATIONAL RAILROAD ADJUSTMENT BOARD

A letter from the Chairman of the National Mediation Board, transmitting, pursuant to law, the eleventh annual report of the National Mediation Board, including the report of the National Railroad Adjustment

Board, for the fiscal year ended June 30, 1945 (with an accompanying report); to the Committee on Interstate Commerce.

PERSONNEL REQUIREMENTS

A letter from the Chairman of the National Mediation Board, transmitting, pursuant to law, an estimate of personnel requirements for the National Mediation Board, including the National Railroad Adjustment Board and the National Railway Labor Panel for the period ending June 30, 1946 (with accompanying papers); to the Committee on Civil Service.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Archivist of the United States, transmitting pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The PRESIDENT pro tempore appointed Mr. BARKLEY and Mr. BREWSTER members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

Petitions, and so forth, were laid before the Senate, or presented and referred as indicated:

By the PRESIDENT pro tempore:

A joint resolution of the Legislature of the Commonwealth of Virginia; to the Committee on Education and Labor:

"Senate Joint Resolution 27

"Joint resolution requesting Congress to enact legislation providing for the return of public employment offices to State operation

"Whereas the public employment offices heretofore operated by the several States were loaned by the States to the Federal Government for the duration of the war so that the Federal Government could direct the placement of workers in plants engaged in the manufacture of supplies needed for the defense of the United States against foreign foes; and

"Whereas by reason of the unconditional surrender of the nations imperiling the sovereignty of the United States, it is now possible to turn from the manufacture of weapons of destruction to the manufacture of commodities needed by the people in the enjoyment of a normal life; and

"Whereas the President of these United States, although petitioned so to do by the governors of the several States, has refused to return to the States the public employment offices so loaned; and

"Whereas the public employment service, by reason of its relation to the payment of benefits under the unemployment compensation laws of the several States, should be integrated with the Unemployment Compensation Service, so as to provide for more efficient administration of both services: Now, therefore, be it

"Resolved by the Senate of the Commonwealth of Virginia (the House of Delegates concurring), That the Congress of the United States be memorialized and it is hereby respectfully petitioned to forthwith enact the necessary legislation to require the return of the public employment service to the States.

"Agreed to by the Senate February 27, 1946.

"E. R. COMES,

"Clerk of Senate.

"Agreed to by the house of delegates March 1, 1946.

"E. G. DODSON,

"Clerk, House of Delegates."

A resolution adopted by the Hampshire Heights Citizens' Association, Washington,

D. C., favoring an increase in the appropriation of Federal funds to the general fund of the District of Columbia; to the Committee on Appropriations.

A resolution adopted by 350 citizens at a town meeting assembled in New Canaan, Conn., relating to labor management problems, equal protection for employer and employee, and the elimination of certain abuses as a result of strikes; to the Committee on Education and Labor.

A resolution adopted by the Board of Directors of the Camden County (N. J.) Chamber of Commerce, protesting against the construction or development of the St. Lawrence Seaway; to the Committee on Foreign Relations.

By Mr. CAPPER:

A petition of sundry citizens of Wichita, Kans., praying for the enactment of legislation to continue the Office of Price Administration; to the Committee on Banking and Currency.

A petition of sundry citizens of Duluth, Minn., praying for the enactment of Senate bill 599, to prohibit the advertising of alcoholic beverages in periodicals, newspapers, radio, motion pictures, or any other form of alcoholic advertising; to the Committee on Interstate Commerce.

A resolution adopted by the Allen County Republican Club, Fort Wayne, Ind., favoring the enactment of legislation to prohibit the drafting of men classified as IV-F and boys 18 years of age before the expiration of the draft act on May 15, 1946; to the Committee on Military Affairs.

WATER RESOURCES OF THE MISSOURI RIVER BASIN

Mr. CAPPER. Mr. President, I ask unanimous consent to present for appropriate reference and printing in the RECORD a letter from the executive manager of the Chamber of Commerce of Kansas City, Kans., together with a resolution of that chamber, in behalf of the development of the water resources of the Missouri River Basin.

There being no objection, the letter and resolution were received, referred to the Committee on Appropriations and ordered to be printed in the RECORD, as follows:

CHAMBER OF COMMERCE,
Kansas City, Kans., February 21, 1946.
The Honorable ARTHUR CAPPER,
United States Senator,
Washington, D. C.

MY DEAR SENATOR: Herewith enclosed you will note a resolution adopted by this chamber of commerce, which we will appreciate your most serious consideration and support.

Also, since writing you on February 11 with respect to the necessity of another half million dollars for flood-control work for the Liberty Bend cut-off, we are advised, as of yesterday, that it will require still another half million dollars, making a total of \$1,000,000 above the original suggested appropriation for flood-protection works at the two Kansas Cities. Therefore, we will appreciate your efforts in recommending that the total amount of \$1,000,000 be added to the appropriation for this project.

Thanking you very kindly, I am,
Sincerely yours,

C. M. WOODARD,
Executive Manager.

Be it resolved by the Board of Directors of the Kansas City (Kans.) Chamber of Commerce in meeting February 13, 1946, at the Chamber of Commerce, Kansas City, Kans.:

Whereas the comprehensive plan for control and development of the water resources of the Missouri River Basin approved and authorized by the Congress of the United

States in the Flood Control Act of 1944 is of vital concern to the millions of citizens of this area; and

Whereas the immediate inauguration of this plan by the Federal agencies concerned is of primary importance to the prevention of disastrous floods, loss of life, destruction of property; to the irrigation of millions of acres of land in arid and semiarid sections; the development of navigation and hydroelectric power; soil conservation and other allied purposes; and

Whereas the Board of Directors of the Kansas City (Kans.) Chamber of Commerce wholeheartedly endorses and is doing its utmost to foster and promote this program: Therefore be it

Resolved, That the Congress be urged to make available adequate appropriations this year for the efficient and prompt carrying out of projects ready for construction; and be it further

Resolved, That the Appropriations Committee of the United States Senate be requested to include in the appropriations for the 1947 fiscal year, as recommended by the Bureau of the Budget and the Chief of Engineers, the following items:

1. An appropriation of \$4,000,000 for the Cherry Creek Reservoir at Denver, Colo.
2. An appropriation of \$2,000,000 for the Harlan County Reservoir in Nebraska.
3. An appropriation of \$4,000,000 for the Garrison Reservoir in North Dakota.
4. An appropriation of \$3,000,000 for flood-control works at Kansas City, Mo., and Kansas City, Kans.

RALPH PERRY,
President, Kansas City (Kans.) Chamber of Commerce.

Attest:
C. M. WOODARD,
Executive Manager, Kansas City (Kans.) Chamber of Commerce.

ALLOTMENT OF SUGAR FOR GENERAL AND HOME-CANNING USE

Mr. CAPPER. Mr. President, I have received a lengthy petition from Richard W. Lewis, of Home, Kans. It was signed by some 250 other citizens of that section of my State, including residents of the towns of Marysville, Beattie, Barnes, Summerfield, Frankfort, Bremen, and Home, Kans. They stated that some of these consumers were entirely out of sugar and most of them had been unable to do much canning. I brought the appeal to the attention of Mr. Paul A. Porter, Administrator of the Office of Price Administration.

Under date of March 7 Mr. Porter made reply and I ask unanimous consent to have Mr. Porter's letter printed in the RECORD and that the letter and petition be appropriately referred.

There being no objection, the letter and petition were received, referred to the Committee on Banking and Currency, and the letter from Mr. Porter was ordered to be printed in the RECORD, as follows:

OFFICE OF PRICE ADMINISTRATION,
Washington, D. C., March 7, 1946.
The Honorable ARTHUR CAPPER,
United States Senator,
Washington, D. C.

DEAR SENATOR CAPPER: This will acknowledge your letter of February 18 with which was enclosed a letter from your constituent, Mr. Richard W. Lewis, of Home, Kans., and a petition signed by residents in that vicinity, requesting an increase in the present allotment of sugar for general and home-canning use.

This Agency, as you probably know, is responsible for the distribution of the civilian

supply including home-canning sugar, which is allocated to us quarterly for this purpose by the Department of Agriculture. The allocation for the first quarter of 1946 was not considered sufficient to permit an increase in consumer allotments. It does, however, take into consideration the amount which will be available for the initiation of our home-canning program which was announced on March 5. Stamp No. 9 in consumer ration books has been validated as of March 11 for 5 pounds of sugar for home-canning use.

Pending the announcement of the future allocations it is not possible for us to determine at this time whether or not an increase over the present consumer allowance can be made, or to estimate just what additional amount will be available for future allotments of home-canning sugar. You may be assured, however, that sugar rations will be increased or the rationing of sugar suspended entirely just as soon as supply conditions will permit.

Thank you for bringing this matter to our attention. Mr. Lewis' letter and the enclosures are returned for your files.

Sincerely yours,

PAUL A. PORTER,
Administrator.

COMPULSORY MILITARY TRAINING— RESOLUTION OF BOARD OF TRUSTEES OF McPHERSON COLLEGE, McPHERSON, KANS.

Mr. REED. Mr. President, I ask unanimous consent to present for appropriate reference and to have printed in the RECORD a resolution adopted by the members of the board of trustees of McPherson College, McPherson, Kans.

There being no objection, the resolution was received, referred to the Committee on Military Affairs, and ordered to be printed in the RECORD, as follows:

McPHERSON COLLEGE,
McPherson, Kans., February 18, 1946.
The 23 members of the board of trustees of McPherson College, representing the States of Arkansas, Colorado, Idaho, Iowa, Kansas, Louisiana, Minnesota, Missouri, Montana, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, and Texas, in regular session, February 17, 1946, passed by unanimous vote the following resolutions:

1. We express ourselves without reservations, to be opposed to the proposition of compulsory military training in the time of peace in the United States. Such training, we believe, is opposed to the fundamental principles of democratic government provided in the Constitution for free people. Preparations for war do not prevent war, but do arouse fears and stimulate competitive armaments.

2. We favor the proposal of Representative JOSEPH MARTIN for the international abolition of conscription in peacetime.

3. We petition Congress to declare war officially at an end as of September 2, 1945.

Respectfully submitted,

W. W. PETERS,
Ex officio member of the
Board of trustees.

RESOLUTIONS OF ARIZONA CATTLE GROWERS' ASSOCIATION

Mr. McFARLAND. Mr. President, I ask unanimous consent to present for appropriate reference and printing in the RECORD 10 resolutions adopted by the Arizona Cattle Growers' Association at its forty-second annual convention, held in Bisbee, Ariz., January 29 and 30, 1946.

The PRESIDENT pro tempore. Without objection, the resolutions will be re-

ceived, appropriately referred, and printed in the RECORD.

To the Committee on Banking and Currency:

"Resolution 2

"Whereas the Arizona Cattle Growers' Association has consistently opposed subsidies and price ceilings for our industry; and

"Whereas we now find the lawful marketing of livestock largely controlled by subsidy and price-fixing programs, imposed as wartime measures: Now, therefore, be it

"Resolved, That we urge upon the Congress that at the time of the discontinuance of beef-subsidy payments that all price ceilings on beef and beef products be also eliminated."

"I hereby certify that this is a true and correct copy of a resolution passed by the Arizona Cattle Growers' Association in the forty-second annual convention, held in Bisbee, Ariz., January 29 and 30, 1946.

"Attest:

"Mrs. J. M. KEITH,
"Secretary."

To the Committee on Agriculture and Forestry:

"Resolution 3

"Resolved, That we endorse the policy of the American National Livestock Association and such action as its officers consider necessary for the welfare and stability of our industry."

"I hereby certify that this is a true and correct copy of a resolution passed by the Arizona Cattle Growers' Association in the forty-second annual convention, held in Bisbee, Ariz., January 29 and 30, 1946.

"Attest:

"Mrs. J. M. KEITH,
"Secretary."

"Resolution 4

"Whereas there is a reduced acreage of cotton within the State of Arizona, whereby there is not more than 50 percent of the normal supply of cottonseed products; and

"Whereas the Federal Government has by regulation ordered a 5 percent set-aside from all the mills for use as may be directed by the Washington officials: Now, therefore, be it

"Resolved, That we request the proper officials to not only distribute the 5 percent set-aside within the State of Arizona but to ship into the State additional supplies if they are available."

"I hereby certify that this is a true and correct copy of a resolution passed by the Arizona Cattle Growers' Association in the forty-second annual convention, held in Bisbee, Ariz., January 29 and 30, 1946.

"Attest:

"Mrs. J. M. KEITH,
"Secretary."

To the Committee on Military Affairs:

"Resolution 8

"Whereas over 5,000,000 acres of grazing land was taken over by the War Department for the prosecution of the war; and

"Whereas it was the intention of the War Department that most of this land should return to its original ownership at the end of the emergency: Be it, therefore,

"Resolved, That the Arizona Cattle Growers' Association urge that the War Department return the use or title to any lands which are not imperative to the War Department purposes to its original owners or users at the earliest possible date."

"I hereby certify that this is a true and correct copy of a resolution passed by the Arizona Cattle Growers' Association in the forty-second annual convention held in Bisbee, Ariz., January 29 and 30, 1946.

"Attest:

"Mrs. J. M. KEITH,
"Secretary."

To the Committee on Public Lands and Surveys:

"Resolution 1

"Whereas we feel that any modification of Forest Service or Taylor Act administration policy with respect to retaining present fees and present grazing allotments would afford only temporary relief to the livestock industry; and

"Whereas we feel that permanent stability of our industry and the local economy and proper conservation of the land can be attained only if and when all Federal grazing lands have been passed to other than Federal ownership: Now, therefore, be it

"Resolved, That we urge Congress to use every effort to bring about the relinquishment of title by the Federal Government to the State in trust for eventual disposition of all Federal land principally valuable for grazing, by a method which would specifically safeguard the economy of the present users and permittees."

"I hereby certify that this is a true and correct copy of a resolution passed by the Arizona Cattle Growers' Association in the forty-second annual convention, held in Bisbee, Ariz., January 29 and 30, 1946.

"Attest:

"Mrs. J. M. KEITH,
"Secretary."

"Resolution 5

"Whereas the present policy of the Forest Service contemplates many cuts in permits; and

"Whereas we consider many of these cuts unjustifiable: Now, therefore, be it

"Resolved, That we urge the Secretary of Agriculture to instruct the Forest Service officials to refrain from making any cuts until all investigations and appeals have been completed."

"I hereby certify that this is a true and correct copy of a resolution passed by the Arizona Cattle Growers' Association in the forty-second annual convention, held in Bisbee, Ariz., January 29 and 30, 1946.

"Attest:

"Mrs. J. M. KEITH,
"Secretary."

"Resolution 6

"Whereas stability of range use is essential to national forest permittees; and

"Whereas the enactment of Senate bill 33 has our full endorsement and would help to establish stability: Now, therefore, be it

"Resolved, That a congressional investigation be made of the administration of grazing on the national forests so that Congress will see the need of Senate bill 33, and other legislation to remove existing evils."

"I hereby certify that this is a true and correct copy of a resolution passed by the Arizona Cattle Growers' Association in the forty-second annual convention, held in Bisbee, Ariz., January 29 and 30, 1946.

"Attest:

"Mrs. J. M. KEITH,
"Secretary."

"Resolution 7

"Whereas in the national parks and national monuments there are large acreages valuable for grazing; and

"Whereas much of this acreage in its present status serves no useful purpose for either the Parks Service nor anyone else: Now, therefore, be it

"Resolved, That the Arizona Cattle Growers' Association urges that Congress order an investigation of all the national-park monument and withdrawal areas to determine the minimum area necessary to carry out the intent of the original withdrawal and the proper use thereof."

"I hereby certify that this is a true and correct copy of a resolution passed by the Arizona Cattle Growers' Association in the

forty-second annual convention held in Bisbee, Ariz., January 29 and 30, 1946.

"Attest:

"Mrs. J. M. KEITH,
"Secretary."

"Resolution 9

"Whereas over 80 percent of the land in Arizona is owned by the Federal Government; and

"Whereas this Federal ownership is being increased continuously in alarming proportions: Now, therefore, be it

"Resolved, That the Arizona Cattle Growers' Association urge that no further land be acquired by the Federal Government in the State of Arizona, without the specific consent of the Arizona State Legislature."

"I hereby certify that this is a true and correct copy of a resolution passed by the Arizona Cattle Growers' Association in the forty-second annual convention held in Bisbee, Ariz., January 29 and 30, 1946.

"Attest:

"Mrs. J. M. KEITH,
"Secretary."

"Resolution 10

"Whereas an agreement was reached on September 3, 1943, between the National Park Service, the Bureau of Reclamation, the United States Fish and Wildlife Service, and the United States Grazing Service for the administration of the Lake Mead recreational area; and

"Whereas the agreement met with the approval of the Arizona Cattle Growers' Association and the users of the area in open meeting at Phoenix, Ariz., during the hearings of the Public Lands Committee of the United States Senate, on September 3 and 4, 1943; and

"Whereas a subsequent agreement in 1944 between the same Federal agencies covering the same territory was entered into without the knowledge or consent of the United States Public Lands Committee, the Arizona Cattle Growers' Association, or the users of the land; and

"Whereas at hearings of the Public Lands Committee of the United States Senate held in Phoenix and Salt Lake City in May 1944, the agencies involved were ordered to comply with the original agreement: Now, therefore, be it.

"Resolved, That the Arizona Cattle Growers' Association demands that the agencies involved administer the lands under the terms of the original agreement and that all subsequent agreements be nullified."

"I hereby certify that this is a true and correct copy of a resolution passed by the Arizona Cattle Growers' Association in the forty-second annual convention held in Bisbee, Ariz., January 29 and 30, 1946.

"Attest:

"Mrs. J. M. KEITH,
"Secretary."

REPORT OF A COMMITTEE

Mr. GEORGE, from the Committee on Finance, to which was referred the bill (S. 1877) to amend paragraph 8 of part VII, Veterans Regulation No. 1 (a), as amended, to authorize an appropriation of \$1,500,000 as a revolving fund in lieu of \$500,000 now authorized, reported it without amendment and submitted a report (No. 1020) thereon.

INVESTIGATION OF WAR CONTRACTS AND DISPOSAL OF SURPLUS WAR PROPERTY—INCREASE IN LIMIT OF EXPENDITURES

Mr. O'MAHONEY, from the Committee on Military Affairs, submitted a report (No. 1021), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate, to

accompany the resolution (S. Res. 236) increasing the limitation of expenditures for the investigation of war contracts and the disposal of surplus war property, heretofore reported and referred to the Committee To Audit and Control the Contingent Expenses of the Senate.

PRINTING OF ADDITIONAL COPIES OF SENATE REPORT NO. 925 RELATING TO INVESTIGATIONS OF RAILROAD TRUSTEESHIPS AND RECEIVERSHIPS

Mr. HAYDEN. Mr. President, from the Committee on Printing I report favorably, without amendment, Senate Resolution 234, and ask unanimous consent for its present consideration.

The PRESIDING OFFICER (Mr. TUNNELL in the chair). Is there objection to the present consideration of the resolution?

There being no objection, the resolution (S. Res. 234) submitted by Mr. WHEELER on March 1, 1946, was read, considered, and agreed to, as follows:

Resolved, That there be printed 1,000 additional copies of Senate Report No. 925, current session, accompanying Senate Resolution 192, authorizing an investigation of railroad trusteeships and receiverships under section 77 of the Bankruptcy Act and in equity, for the use of the Committee on Interstate Commerce.

AUTHORIZATION FOR THE PRINTING BY THE SUBCOMMITTEE ON WARTIME HEALTH AND EDUCATION OF ADDITIONAL COPIES OF SUBCOMMITTEE MONOGRAPH NO. 1.

Mr. HAYDEN. Mr. President, from the Committee on Printing I report favorably, without amendment, Senate

Resolution 235, and ask unanimous consent for its present consideration.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution (S. Res. 235) submitted by Mr. PEPPER on March 1, 1946, was read, considered, and agreed to, as follows:

Resolved, That in accordance with paragraph 3 of section 2 of the Printing Act approved March 1, 1907, the Senate Subcommittee on Wartime Health and Education authorized by Senate Resolution 74, Seventy-eighth Congress (extended by S. Res. 62, 79th Cong.), be, and is hereby authorized and empowered to have printed for its use 1,500 additional copies of its Subcommittee Monograph No. 1.

ADDITIONAL COPIES OF PART 6 OF HEARINGS BEFORE SENATE COMMITTEE TO INVESTIGATE THE PRODUCTION, TRANSPORTATION, AND MARKETING OF WOOL

Mr. HAYDEN. From the Committee on Printing I report favorably, with an amendment, Senate Concurrent Resolution 55, and ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution which had been submitted by Mr. O'MAHONEY on February 21, 1946.

The amendment was in line 6, after the word "use", to strike out "four" and insert "three", so as to make the resolution read:

APPROPRIATIONS

name of a person employed by the committee who is not a full-time employee of the Senate or of the committee for the month of February 1946, in compliance with the terms

Resolved by the Senate (the House of Representatives concurring), That in accordance with paragraph 3 of section 2 of the Printing Act, approved March 1, 1907, the Senate Special Committee to Investigate the Production, Transportation, and Marketing of Wool be, and is hereby, authorized and empowered to have printed for its use 3,000 additional copies of part 6 of the hearings held before the said special committee during the first session, Seventy-ninth Congress, relative to the investigation of the production, transportation, and marketing of wool.

The amendment was agreed to.

The resolution, as amended, was agreed to.

REPORT ON DISPOSITION OF EXECUTIVE PAPERS

Mr. BARKLEY, from the Joint Select Committee on the Disposition of Executive Papers, to which was referred for examination and recommendation a list of records transmitted to the Senate by the Archivist of the United States that appeared to have no permanent value or historical interest, submitted a report thereon pursuant to law.

PERSONS EMPLOYED BY COMMITTEES WHO ARE NOT FULL-TIME SENATE OR COMMITTEE EMPLOYEES

The PRESIDENT pro tempore laid before the Senate a report for the month of February 1946, from the chairmen of certain committees, in response to Senate Resolution 319 (78th Cong.), relative to persons employed by committees who are not full-time employees of the Senate or any committee thereof, which were ordered to lie on the table and to be printed in the RECORD, as follows:

MARCH 2, 1946.
To the Senate:
The above-mentioned committee hereby submits the following report showing the

of Senate Resolution 319, agreed to August 23, 1944:

Name of individual	Address	Name and address of department or organization by whom paid	Annual rate of compensation
Mrs. Mamie L. Mizen	1434 Saratoga Ave.	District of Columbia government	\$3,970

KENNETH McKELLAR, Acting Chairman.

SENATE MILITARY AFFAIRS COMMITTEE, SUBCOMMITTEE ON WAR MOBILIZATION

MARCH 1, 1946.
To the Senate:
The above-mentioned committee hereby submits the following report showing the names of persons employed by the committee who are not full-time employees of the Senate or of the committee for the month of February 1946, in compliance with the terms of Senate Resolution 319, agreed to August 23, 1944:

Name of individual	Address	Name and address of department or organization by whom paid	Annual rate of compensation
Ann S. Gertler	3721 39th St. NW., Washington, D. C.	Department of the Interior, Washington, D. C.	\$2,980.00
Joan P. Karasik	1919 19th St. NW., Washington, D. C.	Foreign Economic Administration, Washington, D. C.	4,300.00
C. Theodore Larson	3917 North 5th St., Arlington, Va.	National Housing Agency, Washington, D. C.	6,230.00
Fritzie P. Manuel	1621 T St. NW., Washington, D. C.	State Department, Washington, D. C.	5,180.00
Darel McConkey	599 Fontaine St., Alexandria, Va.	Department of the Interior, Washington, D. C.	6,230.00
Cora L. Moen	5327 16th St. NW., Washington, D. C.	Office of Price Administration, Washington, D. C.	2,650.00
Elizabeth H. Oleksy	1629 Fuller St. NW., Washington, D. C.	Office of War Mobilization and Reconversion, Washington, D. C.	3,000.00
Mary Jane Oliveto	500 B St. NE., Washington, D. C.	National Housing Agency, Washington, D. C.	2,100.00
Francis C. Rosenberger	5814 64th Ave., East Riverdale, Md.	Office of Price Administration, Washington, D. C.	6,230.00
Herbert Schimmel	5603 Minnesota Ave. SE., Washington, D. C.	Office of War Mobilization and Reconversion, Washington, D. C.	9,012.50

H. M. KILGORE, Chairman.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. THOMAS of Oklahoma (for himself, Mr. BUTLER, Mr. AIKEN, Mr. BILBO, Mr. YOUNG, Mr. SHIPSTEAD, Mr. STEWART, Mr. BUSHFIELD, Mr. WILLIS, Mr. CONNALLY, Mr. CAPPER, Mr. WILSON, and Mr. DOWNEY):

S. 1908. A bill to provide for the maximum and most effective utilization of surplus agricultural commodities through increased industrial and other uses and through the development of improved methods of storing and marketing such commodities, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. McFARLAND:

S. 1909. A bill for the relief of William E. Jacob;

S. 1910. A bill for the relief of George D. King; and

S. 1911. A bill for the relief of Mrs. Ida Elma Franklin; to the Committee on Claims.

By Mr. HILL:

S. 1912. A bill for the relief of Brig. Gen. Earl H. Seals; to the Committee on Claims.

S. 1913. A bill granting an increase of pension to Grizelda Hull Hobson; to the Committee on Pensions.

By Mr. LANGER:

S. 1914. A bill authorizing the Federal Security Administrator to make loans to institutions for the purpose of financing the construction of domiciliary facilities for the aged and the blind; to the Committee on Banking and Currency.

S. 1915. A bill to provide for designation of the United States Veterans' Administration hospital at Fargo, N. Dak., as the Clarence Theodore Hoverson Memorial Hospital; to the Committee on Finance.

By Mr. SALTONSTALL:

S. 1916. A bill to authorize the Secretary of State to transfer certain silver candelabra to May Morgan Beal; to the Committee on Foreign Relations.

By Mr. WALSH:

S. 1917. A bill to enact certain provisions now included in the Naval Appropriation Act, 1946, and for other purposes; to the Committee on Naval Affairs.

By Mr. BANKHEAD:

S. 1918. A bill to amend the provisions of the Agricultural Adjustment Act relating to marketing agreements and orders; to the Committee on Agriculture and Forestry.

S. 1919. A bill for the relief of Pershing W. Ridgeway; to the Committee on Claims.

By Mr. TUNNELL:

S. J. Res. 145. Joint resolution granting a pension or increase of pension of \$50 per month to all widows of Civil War veterans who have attained or hereafter attain the age of 65 years; to the Committee on Pensions.

PRICE CONTROL AND STABILIZATION ACT—AMENDMENT

Mr. WILEY. Mr. President, I ask leave to submit an amendment intended to be proposed by me to the bill (H. R. 5270) to amend the Emergency Price Control and Stabilization Acts of 1942. The amendment is offered in an effort to help cope with the production crisis facing our Nation. I ask that the amendment be printed in the RECORD at this point.

There being no objection, the amendment was received, referred to the Committee on Banking and Currency, or-

dered to be printed, and to be printed in the RECORD, as follows:

At the end of the bill insert a new section as follows:

"SEC. —. In the administration of the provisions of the Emergency Price Control Act of 1942, as amended, and the Stabilization Act of 1942, as amended, during the period of the extension provided by sections 1 and 2 of this act, the appropriate Government agency or agencies shall—

"(1) provide sufficient price relief to yield profits normal to high-level operation; gearing such relief to actual costs of operation at the earliest possible date;

"(2) speed up administrative procedures and streamline price control organization so as to eliminate past administrative delays;

"(3) enforce restrictions on wages as well as on prices in order to hold the relative line of wartime controls; and

"(4) provide for progressive and bold steps for decontrol and the elimination of all wartime price controls as soon as production levels in any field are sufficiently high to restrain run-away prices."

Mr. WILEY. Mr. President, what does the production crisis, to which I have referred, consist of?

Six months after the end of the war, the national situation is muddled and the Nation's economic current is muddled, thanks to the administration's inaptitude, maladministration, and plain dumbness.

Production levels dropped in February lower than those in January which, in turn, were the lowest since the spring of 1941. Strikes are rampant and are increasing. Veterans are unemployed in large numbers, and there is loose talk of 5,000,000 unemployed citizens in the coming months. Industrial profits, the lifeblood of our economic system, have declined disastrously. Tax revenue, essential to pay our approaching \$300,000,000,000 national debt, is rapidly falling. Millions are looking for homes. The national income is dropping.

All this is occurring while our country faces a greater effective demand here at home and abroad for goods and services than at any time in our own or any other peoples' history.

How has the administration brought on this crisis?

First. By a labor policy or lack of policy, without guts, without vision, without equity for management and labor.

Second. By the sort of official muddled thinking which stimulated a disastrous wave of strikes. It invited labor to seek so-called "legitimate" wage increases in spite of the overwhelming national need for continued production at this crucial time.

Third. By an absurd, un-American price policy which OPA has bull-headedly followed—a policy which apparently regards industrial profits as sinful and unnecessary, a policy which decrees that management must pay wage increases out of whatever reserves may be available for other vital purposes, a policy which orders manufacturers to produce at a loss, which in effect, confiscates their profits without due process of law.

Fourth. By suffocating red tape and administrative delays in granting whatever little price relief has been given.

Fifth. By lack of integration within the Government—between Government agencies torn by internal conflicts and lacking centralized overhead planning.

Sixth. By intolerable delays in disposing of Federal surplus property. Such surplus could make a splendid contribution toward coping with the present crisis. There were forwarded to me today from Los Angeles pictures of mountains and fields of construction and building material declared surplus but unavailable to the public because of governmental red tape and freeze orders.

Seventh. By policies of apparent favoritism between companies by persons in high places who have forgotten their obligations as public servants.

In this connection, I desire to read excerpts from a letter I have received today from a prominent manufacturer.

This manufacturer cited an instance wherein one foundry had been granted a 200-percent price increase by OPA allegedly because, like Mr. Henry Kaiser, this foundry had an RFC loan. The manufacturer states in his letter:

It would appear from the above that the Government has had, and is going to continue to have, two entirely different policies in dealing with business. If a company has a loan from the RFC, the other agencies give price increases promptly to prevent losses; but if a company has no RFC loans, they are expected to absorb losses until the entire industry shows an out-of-pocket loss.

The policy toward companies with Government loans will certainly eliminate private business and encourage Government ownership. When a company signs an RFC agreement, it practically turns the management over to the RFC bureaucrats.

I respectfully request that you pass this information along to all opponents of Government ownership; and I am prepared to give you sworn statements to support the above.

Mr. President, I have asked for these sworn statements in order that the serious charges made by this manufacturer may be investigated.

Now, Mr. President, the amendment which I propose today cannot solve all of the various shortcomings I have cited. But it can help to solve those relating to maladministration of price controls.

As for the other shortcomings, they can be solved by legislation which will insure equity in labor-management relations, by leadership within Government with guts and vision that will eliminate administrative wrangling and blundering, that will speed up the proper disposition of surplus property and that will cut out favoritism.

Some time ago, I proposed a Senate Committee on the Promotion of American Activities. That proposal has been referred to a subcommittee of the Judiciary Committee which, as yet, has neither met nor taken any action. The need for such a committee is obvious in the un-American rulings against our system of private profit, evidenced in O. P. A. Recently, I proposed in a public statement that "We get the Government out of the red and the Reds out of Government."

The conditions which I have cited prove the need for the realization of this slogan.

Mr. President, in connection with my remarks, I ask unanimous consent to have printed in the RECORD a telegram I have received from the directors of the Northwest Retailers Association, Inc.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

MINNEAPOLIS, MINN., March 6, 1946.

HON. ALEXANDER WILEY,

Senate Office Building, Washington, D. C.

The directors of the Northwest Retailers Association, Inc., composed of leading merchants of Minnesota, North Dakota, and Wisconsin, representing department, dry goods, clothing and men's furnishings, shoe, and ladies' ready-to-wear stores, adopted the following resolution on March 5, 1946:

"The retailers of the Northwest have been in favor of price control as a wartime measure and, in fact, have much more at stake than the average consumer in preventing inflation. We are in favor of extending price control to not later than June 30, 1947, but with the following changes:

"1. That the maximum average price regulation be withdrawn and rescinded immediately. It has failed to restore low-priced merchandise to the market, and has hindered and prevented the manufacture, and distribution to the consumer of much-needed goods.

"2. The sure cure for the dangers of inflation is all-out production of goods, which will quickly make price control unnecessary. We favor extension of incentive pricing for manufacturers to stimulate the production of goods which are vanishing because they are unprofitable to produce, or which have been discontinued for the same reason.

"3. OPA's cost absorption policy should be terminated immediately. It is unsound, unfair, and ruinous in its operation. Wages, materials, and all other operating expenses have increased materially since March 1942. Any prices established by OPA should recognize increased costs, and should allow a normal mark-up to the manufacturer, to the wholesaler or jobber, and to the retailer.

"4. We favor an accelerated program of decontrol. When supply and demand are closely in balance, that item should be promptly removed from price control.

"5. We favor legislation restoring jurisdiction to the district courts of the United States to hear and determine any questions which may arise under OPA regulations or orders."

H. S. MCINTYRE,
Secretary.

SPECIAL COMMITTEE ON ATOMIC ENERGY—INCREASE IN LIMIT OF EXPENDITURES

Mr. McMAHON submitted the following resolution (S. Res. 237), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the limit of expenditures under Senate Resolution 179, Seventy-ninth Congress, first session, agreed to October 22, 1945, relating to the investigation of the development, use, and control of atomic energy, hereby is increased by \$60,000.

HEARINGS BEFORE COMMITTEE ON NAVAL AFFAIRS—INCREASE IN LIMIT OF EXPENDITURES

Mr. WALSH submitted the following resolution (S. Res. 238), which was referred to the Committee to Audit and

Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Naval Affairs, authorized by Senate Resolution 9, agreed to January 6, 1945, to send for persons, books, and papers; to administer oaths; and to employ a stenographer, at a cost not exceeding 25 cents per hundred words, to report such hearings as may be had on any subject referred to said committee, hereby is authorized to expend from the contingent fund of the Senate, for the same purposes, during the Seventy-ninth Congress, \$10,000 in addition to the amount of \$5,000 heretofore authorized.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred, as indicated:

H. R. 216. An act for the relief of John Seferian and Laura Seferian;

H. R. 988. An act for the relief of Bernice B. Cooper, junior clerk-typist, Weatherford, Tex., rural rehabilitation office, Farm Security Administration, Department of Agriculture;

H. R. 1235. An act for the relief of John Bell;

H. R. 1262. An act for the relief of W. E. Noah;

H. R. 1269. An act for the relief of Virge McClure;

H. R. 1352. An act for the relief of Herman Feinberg;

H. R. 1759. An act for the relief of Mildred Neiffer;

H. R. 2156. An act for the relief of Lee Harrison;

H. R. 2317. An act for the relief of Rae Glauber;

H. R. 2331. An act for the relief of Mrs. Grant Logan;

H. R. 2509. An act for the relief of the legal guardian of James Irving Martin, a minor;

H. R. 2682. An act for the relief of John Doshim;

H. R. 2750. An act for the relief of Stephen A. Bodkin, Charles A. Marlin, Andrew J. Perlik, and Albert N. James;

H. R. 2848. An act for the relief of the legal guardian of Wilma Sue Woods, Patsy Woods, Raymond E. Hilliard, and Thomas E. Hilliard, minors;

H. R. 2885. An act for the relief of Mrs. Frank Mitchell and J. L. Price;

H. R. 2904. An act for the relief of Clyde Rownd, Della Rownd, and Benjamin C. Day;

H. R. 3065. An act for the relief of Standard Dredging Corp.;

H. R. 3076. An act for the relief of the estate of Nellie P. Dunn, deceased;

H. R. 3100. An act for the relief of the legal guardian of Rolland Lee Frank, a minor;

H. R. 3161. An act for the relief of Mrs. Ruby Miller;

H. R. 3185. An act for the relief of the estate of Senia Lassila, deceased;

H. R. 3217. An act for the relief of Mattie Lee Wright;

H. R. 3355. An act for the relief of Elisabeth Jones Hansel;

H. R. 3365. An act for the relief of Kay Beth Bednar;

H. R. 3391. An act for the relief of Lawrence Portland Cement Co.;

H. R. 3400. An act for the relief of Herbert W. Rogers;

H. R. 3480. An act for the relief of Miss Ruth Lois Cummings;

H. R. 3483. An act for the relief of Mr. and Mrs. Cipriano Vasquez;

H. R. 3525. An act for the relief of Owen Young;

H. R. 3591. An act for the relief of Addie Pruitt;

H. R. 3823. An act for the relief of Gertrude McGill;

H. R. 3846. An act for the relief of the estate of Eleanor Wilson Lynde, deceased;

H. R. 3948. An act for the relief of Mrs. Clifford W. Prevatt;

H. R. 3985. An act for the relief of Kilpatrick Bros. Co.;

H. R. 4115. An act for the relief of the estate of Eleanor Doris Barrett;

H. R. 4174. An act for the relief of Mayer G. Hansen;

H. R. 4210. An act for the relief of the estate of Bob Clark and the estate of George D. Croft;

H. R. 4270. An act for the relief of Southern California Edison Co., Ltd.;

H. R. 4400. An act for the relief of Nolan V. Curry, individually, and as guardian for his minor son, Hershel Dean Curry;

H. R. 4401. An act for the relief of Joe F. Rada and Bessie Rada;

H. R. 4414. An act for the relief of Eva D. Champlin, Robert H. Howell, Emily Howell, and Stella Ward;

H. R. 4418. An act for the relief of the city of San Diego, Tex.;

H. R. 4537. An act for the relief of Lillian Jacobs;

H. R. 4607. An act for the relief of Margaret Lee and Mike Sopko;

H. R. 4609. An act for the relief of Jerome Dove;

H. R. 4647. An act for the relief of Albert R. Perkins;

H. R. 4693. An act for the relief of Richard C. Ward;

H. R. 4712. An act for the relief of Caroline M. Newmark and Melville Moritz;

H. R. 4801. An act for the relief of Raymond P. Guidoboni; to the Committee on Claims.

H. R. 4208. An act for the relief of the Calvert Distilling Co.; to the Committee on Finance.

H. R. 4761. An act to amend the National Housing Act by adding thereto a new title relating to the prevention of speculation and excessive profits in the sale of housing, and to insure the availability of real estate for housing purposes at fair and reasonable prices, and for other purposes; to the Committee on Banking and Currency.

H. R. 5529. An act to authorize the President to appoint Lt. Gen. Walter B. Smith as Ambassador to the Union of Soviet Socialist Republics, without affecting his military status and perquisites; to the Committee on Military Affairs.

H. R. 5671. An act making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1946, and for other purposes; to the Committee on Appropriations.

CRUCIAL IMPORTANCE OF SMALL INVESTORS—ADDRESS BY SENATOR WILEY

[Mr. WILEY asked and obtained leave to have printed in the RECORD an address entitled "The Investor: Key Man to American Industry," delivered by him before the Free Enterprise Forum of Investors' League at Buffalo, N. Y., February 28, 1946, and following thereafter three articles by Thomas Furlong published in the Chicago Tribune, which appear in the Appendix.]

MEDIATION AND ARBITRATION IN LABOR DISPUTES—ADDRESS BY SENATOR LA FOLLETTE

[Mr. LA FOLLETTE asked and obtained leave to have printed in the RECORD an address on the labor situation delivered by him before the United Labor Committee to Aid the UAW-GM Strikers, at New York, N. Y., February 25, 1946, which appears in the Appendix.]

RURAL ELECTRIFICATION—ADDRESS BY SENATOR LA FOLLETTE

[Mr. LA FOLLETTE asked and obtained leave to have printed in the RECORD an ad-

dress on rural electrification delivered by him before the National Rural Electric Cooperative Association at Buffalo, N. Y., Tuesday, March 5, 1946, which appears in the Appendix.]

ADDRESS BY SENATOR HILL AT TESTIMONIAL DINNER TO GEN. HENRY H. ARNOLD

[Mr. HILL asked and obtained leave to have printed in the Record an address delivered by him at a testimonial dinner tendered by the Army Air Forces to Gen. Henry H. Arnold, the commanding general of the Army Air Forces, in Washington, D. C., on February 9, 1946, which appears in the Appendix.]

WASHINGTON'S BIRTHDAY ADDRESS BY SENATOR LANGER

[Mr. LANGER asked and obtained leave to have printed in the Record an address delivered by him at Minneapolis, Minn., on Washington's Birthday, before the George Washington Club, which appears in the Appendix.]

UPTON CLOSE—COMMENT BY ALBERT L. WARNER

[Mr. PEPPER asked and obtained leave to have printed in the Record an excerpt from the 6 p. m. newscast of Albert L. Warner, director of the Washington news staff of WOL, delivered Wednesday, March 6, 1946, which appears in the Appendix.]

STATEMENT IN OPPOSITION TO COMPULSORY TRAINING BY DR. JOHN R. SAMPEY

[Mr. STANFILL asked and obtained leave to have printed in the Record a statement in opposition to compulsory military training entitled "A Worshiper of Lee Renounces War," by Dr. John R. Sampey, of the Southern Baptist Theological Seminary at Louisville, Ky., which appears in the Appendix.]

THE GENERAL MOTORS STRIKE—EDITORIAL FROM THE LOUISVILLE COURIER-JOURNAL

[Mr. STANFILL asked and obtained leave to have printed in the Record an editorial regarding the General Motors strike, from the Louisville Courier-Journal of March 5, 1946, which appears in the Appendix.]

THE ST. LAWRENCE SEAWAY

[Mr. MEAD asked and obtained leave to have printed in the Record a statement regarding the St. Lawrence seaway by Reginald P. Long, supervisor of Grand Island, Erie County, N. Y., together with resolutions adopted by the board of supervisors of Erie County, N. Y., which appear in the Appendix.]

CONTROL OF ATOMIC ENERGY—ARTICLE BY GEORGE FIELDING ELLIOT

[Mr. McMAHON asked and obtained leave to have printed in the Record an article on the control of atomic energy, written by George Fielding Elliot and published in a recent issue of the New York Herald Tribune, which appears in the Appendix.]

THE FIGHT AGAINST CANCER—ARTICLE BY ERIC A. JOHNSTON

[Mr. McMAHON asked and obtained leave to have printed in the Record an article entitled "The Doctors Are Out To Conquer Cancer, and They Need Your Help" written by Eric A. Johnston, and published in the Reader's Digest for March 1946, which appears in the Appendix.]

THE OPA—EDITORIAL COMMENTS BY THE RECORD-HERALD AND INDIANOLA TRIBUNE

[Mr. HICKENLOOPER asked and obtained leave to have printed in the Record an editorial entitled "We Need OPA, but Let's De-

louse It," from the Record-Herald and Indianola Tribune of February 21, 1946, and an editorial entitled "OPA in a Glass House" from the same newspapers of the issue of February 28, 1946, which appear in the Appendix.]

SMEAR CAMPAIGN BY JEWELRY MANUFACTURERS—EDITORIAL FROM THE MINERAL COUNTY INDEPENDENT-NEWS

[Mr. CARVILLE asked and obtained leave to have printed in the Record an editorial entitled "Smear Campaign by Jewelry Manufacturers," from the Mineral County Independent-News of February 26, 1946, which appears in the Appendix.]

PRICE CONTROLS—EDITORIAL FROM ARIZONA DAILY STAR

[Mr. McFARLAND asked and obtained leave to have printed in the Record an editorial entitled "Let Us End the Controls," published in the Arizona Daily Star of February 28, 1946, which appears in the Appendix.]

ADMINISTRATIVE PROCEDURE ACT

Mr. McCARRAN. Mr. President, I should like to have the attention of the leaders on both sides to the request I am about to make. I ask unanimous consent that S. 7, the administrative procedure bill, which was reported from the Judiciary Committee in November last, be made the unfinished business, with the understanding that it will go over until the next session of the Senate, which I understand will be on Tuesday. I ask unanimous consent that S. 7 be made the unfinished business.

The PRESIDENT pro tempore. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (S. 7) to improve the administration of justice by prescribing fair administrative procedure.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Nevada?

Mr. BARKLEY. Mr. President, it is not necessary to ask unanimous consent, inasmuch as what the Senator desires could be accomplished by a motion. I have no objection, however to making the bill the unfinished business. I hope that Senators will take advantage of the week end to study this measure. It is a modified form of the so-called Logan-Walter bill, which, as I recall, Congress passed several years ago and which was vetoed by the President. I think that is correct. I myself have not studied the proposed modifications because I have not had the time. I shall attempt to do so over the week end, and I hope other Senators will study the bill, because it is a complicated subject and involves, or did involve in the previous legislation, what seems to me to be great handicaps in carrying out the administrative policies of the Government as directed by Congress.

I am not passing any judgment on this bill, because I have not had a chance to study it. I am merely expressing the hope that the Senate will study the bill before next Tuesday—we intend to recess until Tuesday after today's session—because it is a very important piece of legislation both from the standpoint of those who are for and those who are against it.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Nevada that Senate bill 7 be made the unfinished business?

Mr. WHITE. Mr. President, reserving the right to object, in view of what the majority leader has said, I inquire if it would not be appropriate to have a quorum called.

Mr. BARKLEY. I have no objection to a quorum call, although I do not think one is necessary in order to make it possible for the Senate to agree to make the bill the unfinished business, unless a Senator who is not now on the floor may desire to object. But even if objection were registered, the Senator from Nevada could move to make the bill the unfinished business.

Mr. WHITE. I was merely seeking to protect the interests of those who might be absent at the moment.

Mr. BARKLEY. Two or three important hearings, with important witnesses, are now in progress, and I think it might disturb that situation if we called Senators to the Chamber at this time. But whatever the Senator desires to have done is agreeable to me.

Mr. WHITE. I shall not object.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Nevada?

There being no objection, the Senate proceeded to consider the bill (S. 7) to improve the administration of justice by prescribing fair administrative procedure, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That this act may be cited as the "Administrative Procedure Act."

DEFINITIONS

SEC. 2. As used in this act—

(a) Agency: "Agency" means each authority (whether or not within or subject to review by another agency) of the Government of the United States other than Congress, the courts, or the governments of the possessions, Territories, or the District of Columbia. Nothing in this act shall be construed to repeal delegations of authority as provided by law. Except as to the requirements of section 3, there shall be excluded from the operation of this act (1) agencies composed of representatives of the parties or of representatives of organizations of the parties to the disputes determined by them, (2) courts martial and military commissions, (3) military or naval authority exercised in the field in time of war or in occupied territory, or (4) functions which by law expire on the termination of present hostilities, within any fixed period thereafter, or before July 1, 1947, and the functions conferred by the following statutes: Selective Training and Service Act of 1940; Contract Settlement Act of 1944; Surplus Property Act of 1944.

(b) Person and party: "Person" includes individuals, partnerships, corporations, associations, or public or private organizations of any character other than agencies. "Party" includes any person or agency named or admitted as a party, or properly seeking and entitled as of right to be admitted as a party, in any agency proceeding; but nothing herein shall be construed to prevent an agency from admitting any person or agency as a party for limited purposes.

(c) Rule and rule making: "Rule" means the whole or any part of any agency statement of general applicability designed to implement, interpret, or prescribe law or policy or to describe the organization, procedure, or practice requirements of any agency. "Rule making" means agency process for the formulation, amendment, or repeal of a rule and includes the approval or prescription for the future of rates, wages, corporate or financial structures or reorganizations thereof, prices, facilities, appliances, services, or allowances therefor, or of valuations, costs, or accounting, or practices bearing upon any of the foregoing.

(d) Order and adjudication: "Order" means the whole or any part of the final disposition (whether affirmative, negative, or declaratory in form) of any agency in any matter other than rule making but including licensing. "Adjudication" means agency process for the formulation of an order.

(e) License and licensing: "License" includes the whole or part of any agency permit, certificate, approval, registration, charter, membership, statutory exemption, or other form of permission. "Licensing" includes agency process respecting the grant, renewal, denial, revocation, suspension, annulment, withdrawal, limitation, amendment, modification, or conditioning of a license.

(f) Sanction and relief: "Sanction" includes the whole or part of any agency (1) prohibition, requirement, limitation, or other condition affecting the freedom of any person; (2) withholding of relief; (3) imposition of any form of penalty or fine; (4) destruction, taking, seizure, or withholding of property; (5) assessment of damages, reimbursement, restitution, compensation, costs, charges, or fees; (6) requirement, revocation, or suspension of a license; or (7) taking of other compulsory or restrictive action. "Relief" includes the whole or part of any agency (1) grant of money, assistance, license, authority, exemption, exception, privilege, or remedy; (2) recognition of any claim, right, immunity, privilege, exemption, or exception; or (3) taking of any other action beneficial to any person.

(g) Agency proceeding and action: "Agency proceeding" means any agency process as defined in subsections (c), (d), and (e) of this section. For the purpose of section 10, "agency action" includes the whole or part of every agency rule, order, license, sanction, relief, or the equivalent or denial thereof, or failure to act.

PUBLIC INFORMATION

SEC. 3. Except to the extent that there is involved (1) any function of the United States requiring secrecy in the public interest or (2) any matter relating solely to the internal management of an agency—

(a) Rules: Every agency shall separately state and currently publish in the Federal Register (1) descriptions of its central and field organization; (2) the established places and methods whereby the public may secure information or make submittals or requests; (3) statements of the general course and method by which its rule making and adjudicating functions are channeled and determined, including the nature and requirements of all formal or informal procedures available as well as forms and instructions as to the scope and contents of all papers, reports, or examinations; and (4) substantive rules adopted as authorized by law and statements of general policy or interpretations formulated and adopted by the agency for the guidance of the public. No person shall in any manner be required to resort to organization or procedure not so published.

(b) Opinions and orders: Every agency shall publish or, in accordance with published rule, make available to public inspection all final opinions or orders in the adjudication of cases except those required for good cause to be held confidential and not cited as precedents.

(c) Public records: Save as otherwise required by statute, matters of official record shall in accordance with published rule be made available to persons properly and directly concerned except information held confidential for good cause found.

RULE MAKING

SEC. 4. Except to the extent that there is involved (1) any military, naval, or foreign affairs function of the United States or (2) any matter relating to agency management or personnel or to public property, loans, grants, benefits, or contracts—

(a) Notice: General notice of proposed rule making shall be published in the Federal Register and shall include (1) a statement of the time, place, and nature of public rule making proceedings; (2) reference to the authority under which the rule is proposed; and (3) either the terms or substance of the proposed rule or a description of the subjects and issues involved. Except where notice or hearing is required by statute, this subsection shall not apply to interpretative rules, general statements of policy, rules of agency organization, procedure, or practice, or in any situation in which the agency for good cause finds (and incorporates the finding and a brief statement of the reasons therefor in the rules issued) that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest.

(b) Procedures: After notice required by this section, the agency shall afford interested persons an opportunity to participate in the rule making through submission of written data, views, or argument with or without opportunity to present the same orally in any manner; and, after consideration of all relevant matter presented, the agency shall incorporate in any rules adopted a concise general statement of their basis and purpose. Where rules are required by law to be made upon the record after opportunity for or upon an agency hearing, the requirements of sections 7 and 8 shall apply in place of the provisions of this subsection.

(c) Effective dates: The required publication or service of any substantive rule (other than one granting or recognizing exemption or relieving restriction or interpretative rules and statements of policy) shall be made not less than 30 days prior to the effective date thereof except as otherwise provided by the agency upon good cause found and published with the rule.

(d) Petitions: Every agency shall accord any interested person the right to petition for the issuance, amendment, or repeal of a rule.

ADJUDICATION

SEC. 5. In every case of adjudication required by statute to be determined on the record after opportunity for an agency hearing, except to the extent that there is involved (1) any matter subject to a subsequent trial of the law and the facts de novo in any court; (2) the selection or tenure of an officer or employee of the United States other than examiners appointed pursuant to section 11; (3) proceedings in which decisions rest solely on inspections, tests, or elections; (4) the conduct of military, naval, or foreign affairs functions; (5) cases in which an agency is acting as an agent for a court; and (6) the certification of employee representatives—

(a) Notice: Persons entitled to notice of an agency hearing shall be timely informed of (1) the time, place, and nature thereof; (2) the legal authority and jurisdiction under which the hearing is to be held; and (3) the matters of fact and law asserted. In instances in which private persons are the moving parties, other parties to the proceeding shall give prompt notice of issues controverted in fact or law; and in other instances agencies may by rule require responsive pleading. In fixing the times and places for hearings, due regard shall be had

for the convenience and necessity of the parties or their representatives.

(b) Procedure: The agency shall afford all interested parties opportunity for (1) the submission and consideration of facts, argument, offers of settlement, or proposals of adjustment where time, the nature of the proceeding, and the public interest permit and (2), to the extent that the parties are unable so to determine any controversy by consent, hearing and decision upon notice and in conformity with sections 7 and 8.

(c) Separation of functions: The same officers who preside at the reception of evidence pursuant to section 7 shall make the recommended decision or initial decision required by section 8 except where such officers become unavailable to the agency. Save to the extent required for the disposition of ex parte matters as authorized by law, no such officer shall consult any person or party on any fact in issue unless upon notice and opportunity for all parties to participate; nor shall such officer be responsible to or subject to the supervision or direction of any officer, employee, or agent engaged in the performance of investigative or prosecuting functions for any agency. No officer, employee, or agent engaged in the performance of investigative or prosecuting functions for any agency in any case shall, in that or a factually related case, participate or advise in the decision, recommended decision, or agency review pursuant to section 8 except as witness or counsel in public proceedings. This subsection shall not apply in determining applications for initial licenses or the past reasonableness of rates; nor shall it be applicable in any manner to the agency or any member or members of the body comprising the agency.

(d) Declaratory orders: The agency is authorized in its sound discretion, with like effect as in the case of other orders, to issue a declaratory order to terminate a controversy or remove uncertainty.

ANCILLARY MATTERS

SEC. 6. Except as otherwise provided in this act—

(a) Appearance: Any person compelled to appear in person before any agency or representative thereof shall be accorded the right to be accompanied, represented, and advised by counsel or, if permitted by the agency, by other qualified representative. Every party shall be accorded the right to appear in person or by or with counsel or other duly qualified representative in any agency proceeding. So far as the responsible conduct of public business permits, any interested person may appear before any agency or its responsible officers or employees for the presentation, adjustment, or determination of any issue, request, or controversy in any proceeding or in connection with any agency function, including stop-order or other summary actions. Every agency shall proceed with reasonable dispatch to conclude any matter presented to it except that due regard shall be had for the convenience and necessity of the parties or their representatives. Nothing herein shall be construed either to grant or to deny to any person who is not a lawyer the right to appear for or represent others before any agency or in any agency proceeding.

(b) Investigations: No process, requirement of a report, inspection, or other investigative act or demand shall be issued, made, or enforced in any manner or for any purpose except as authorized by law. Every person compelled to submit data or evidence shall be entitled to retain or, on payment of lawfully prescribed costs, procure a copy or transcript thereof, except that in a non-public investigatory proceeding the witness may for good cause be limited to inspection of the official transcript of his testimony.

(c) Subpenas: Agency subpoenas authorized by law shall be issued to any party upon request and, as may be required by rules of procedure, upon a statement or showing of

general relevance and reasonable scope of the evidence sought. Upon contest the court shall sustain any such subpoena or similar process or demand to the extent that it is found to be in accordance with law and, in any proceeding for enforcement, shall issue an order requiring the appearance of the witness or the production of the evidence or data under penalty of punishment for contempt in case of contumacious failure to do so.

(d) Denials: Prompt notice shall be given of the denial in whole or in part of any written application, petition, or other request of any interested person made in connection with any agency proceeding. Except in affirming a prior denial or where the denial is self-explanatory, such notice shall be accompanied by a simple statement of grounds.

HEARINGS

SEC. 7. In hearings which section 4 or 5 requires to be conducted pursuant to this section—

(a) Presiding officers: There shall preside at the taking of evidence (1) the agency, (2) one or more members of the body which comprises the agency, or (3) one or more examiners appointed as provided in this act; but nothing in this act shall be deemed to supersede the conduct of specified classes of proceedings in whole or part by or before boards or other officers specially provided for by or designated pursuant to statute. The functions of all presiding officers and of officers participating in decisions in conformity with section 8 shall be conducted in an impartial manner. Any such officer may at any time withdraw if he deems himself disqualified; and, upon the filing in good faith of a timely and sufficient affidavit of personal bias or disqualification of any such officer, the agency shall determine the matter as a part of the record and decision in the case.

(b) Hearing powers: Officers presiding at hearings shall have authority, subject to the published rules of the agency and within its powers, to (1) administer oaths and affirmations, (2) issue subpoenas authorized by law, (3) rule upon offers of proof and receive relevant evidence, (4) take or cause depositions to be taken whenever the ends of justice would be served thereby, (5) regulate the course of the hearing, (6) hold conferences for the settlement or simplification of the issues by consent of the parties, (7) dispose of procedural requests or similar matters, (8) make decisions or recommend decisions in conformity with section 8, and (9) take any other action authorized by agency rule consistent with this act.

(c) Evidence: Except as statutes otherwise provide, the proponent of a rule or order shall have the burden of proof. Any evidence, oral or documentary, may be received, but every agency shall as a matter of policy provide for the exclusion of immaterial and unduly repetitious evidence and no sanction shall be imposed or rule or order be issued except as supported by relevant, reliable, and probative evidence. Every party shall have the right to present his case or defense by oral or documentary evidence, to submit rebuttal evidence, and to conduct such cross-examination as may be required for a full and true disclosure of the facts. In rule making or determining claims for money or benefits or applications for initial licenses any agency may, where the interest of any party will not be prejudiced thereby, adopt procedures for the submission of all or part of the evidence in written form.

(d) Record: The transcript of testimony and exhibits, together with all papers and requests filed in the proceeding, shall constitute the exclusive record for decision in accordance with section 8 and, upon payment of lawfully prescribed costs, shall be made available to the parties. Where any agency decision rests on official notice of a

material fact not appearing in the evidence in the record, any party shall on timely request be afforded an opportunity to show the contrary.

DECISIONS

SEC. 8. In cases in which a hearing is required to be conducted in conformity with section 7—

(a) Action by subordinates: In cases in which the agency has not presided at the reception of the evidence, the officer who presided (or, in cases not subject to subsection (c) of section 5, any other officer or officers qualified to preside at hearings pursuant to section 7) shall initially decide the case or the agency shall require (in specific cases or by general rule) the entire record to be certified to it for initial decision. Whenever such officers make the initial decision and in the absence of either an appeal to the agency or review upon motion of the agency within time provided by rule, such decision shall without further proceedings then become the decision of the agency. On appeal from or review of the initial decisions of such officers the agency shall, except as it may limit the issues upon notice or by rule, have all the powers which it would have in making the initial decision. Whenever the agency makes the initial decision without having presided at the reception of the evidence, such officers shall first recommend a decision except that in rule making or determining applications for initial licenses (1) in lieu thereof the agency may issue a tentative decision or any of its responsible officers may recommend a decision or (2) any such procedure may be omitted in any case in which the agency finds upon the record that due and timely execution of its function imperatively and unavoidably so requires.

(b) Submittals and decisions: Prior to each recommended, initial, or tentative decision, or decision upon agency review of the decision of subordinate officers the parties shall be afforded a reasonable opportunity to submit for the consideration of the officers participating in such decisions (1) proposed findings and conclusions, or (2) exceptions to the decisions or recommended decisions of subordinate officers or to tentative agency decisions, and (3) supporting reasons for such exceptions or proposed findings or conclusions. All decisions (including initial, recommended, or tentative decisions) shall become a part of the record and include a statement of (1) findings and conclusions, as well as the basis therefor, upon all the material issues of fact, law, or discretion presented; and (2) the appropriate rule, order, sanction, relief, or denial thereof.

SANCTIONS AND POWERS

SEC. 9. In the exercise of any power or authority—

(a) In general: No sanction shall be imposed or substantive rule or order be issued except within jurisdiction delegated to the agency and as authorized by law.

(b) Licenses: In any case in which application is made for a license required by law the agency, with due regard to the rights or privileges of all the interested parties or adversely affected persons and with reasonable dispatch, shall set and complete any proceedings required to be conducted pursuant to sections 7 and 8 of this act or other proceedings required by law and shall make its decision. Except in cases of willfulness or those in which public health, interest, or safety requires otherwise, no withdrawal, suspension, revocation, or annulment of any license shall be lawful unless, prior to the institution of agency proceedings therefor, facts or conduct which may warrant such action shall have been called to the attention of the licensee by the agency in writing and the licensee shall have been accorded opportunity to demonstrate or achieve compliance with all lawful requirements. In any case in which the licensee has, in accordance with agency rules, made timely and suf-

ficient application for a renewal or a new license, no license with reference to any activity of a continuing nature shall expire until such application shall have been finally determined by the agency.

JUDICIAL REVIEW

SEC. 10. Except so far as (1) statutes preclude judicial review or (2) agency action is by law committed to agency discretion—

(a) Right of review: Any person suffering legal wrong because of any agency action, or adversely affected or aggrieved by such action within the meaning of any relevant statute, shall be entitled to judicial review thereof.

(b) Form and venue of action: The form of proceeding for judicial review shall be any special statutory review proceeding relevant to the subject matter in any court specified by statute or, in the absence or inadequacy thereof, any applicable form of legal action (including actions for declaratory judgments or writs of prohibitory or mandatory injunction or habeas corpus) in any court of competent jurisdiction. Agency action shall be subject to judicial review in civil or criminal proceedings for judicial enforcement except to the extent that prior, adequate, and exclusive opportunity for such review is provided by law.

(c) Reviewable acts: Every agency action made reviewable by statute and every final agency action for which there is no other adequate remedy in any court shall be subject to judicial review. Any preliminary, procedural, or intermediate agency action or ruling not directly reviewable shall be subject to review upon the review of the final agency action. Except as otherwise expressly required by statute, agency action shall be final whether or not there has been presented or determined any application for a declaratory order, for any form of reconsideration, or (unless the agency otherwise requires by rule) for an appeal to superior agency authority.

(d) Interim relief: Pending judicial review any agency is authorized, where it finds that justice so requires, to postpone the effective date of any action taken by it. Upon such conditions as may be required and to the extent necessary to prevent irreparable injury, every reviewing court (including every court to which a case may be taken on appeal from or upon application for certiorari or other writ to a reviewing court) is authorized to issue all necessary and appropriate process to postpone the effective date of any agency action or to preserve status or rights pending conclusion of the review proceedings.

(e) Scope of review: So far as necessary to decision, and where presented, the reviewing court shall decide all relevant questions of law, interpret constitutional and statutory provisions, and determine the meaning or applicability of the terms of any agency action. It shall (A) compel agency action unlawfully withheld or unreasonably delayed; and (B) hold unlawful and set aside agency action, findings, and conclusions found to be (1) arbitrary, capricious, or otherwise not in accordance with law; (2) contrary to constitutional right, power, privilege, or immunity; (3) in excess of statutory jurisdiction, authority, or limitations, or short of statutory right; (4) without observance of procedure required by law; (5) unsupported by substantial evidence in any case subject to the requirements of sections 7 and 8 or otherwise reviewed on the record of an agency hearing provided by statute; or (6) unwarranted by the facts to the extent that the facts are subject to trial de novo by the reviewing court. In making the foregoing determinations the court shall review the whole record or such portions thereof as may be cited by the parties, and due account shall be taken of the rule of prejudicial error.

EXAMINERS

SEC. 11. Subject to the civil-service and other laws to the extent not inconsistent with

this act, there shall be appointed by and for each agency as many qualified and competent examiners as may be necessary for proceedings pursuant to sections 7 and 8, who shall be assigned to cases in rotation so far as practicable and shall perform no duties inconsistent with their duties and responsibilities as examiners. Examiners shall be removable by the agency in which they are employed only for good cause established and determined by the Civil Service Commission (hereinafter called the Commission) after opportunity for hearing and upon the record thereof. Examiners shall receive compensation prescribed by the Commission independently of agency recommendations or ratings and in accordance with the Classification Act of 1923, as amended, except that the provisions of paragraphs (2) and (3) of subsection (b) of section 7 of said act, as amended, and the provisions of section 9 of said act, as amended, shall not be applicable. Agencies occasionally or temporarily insufficiently staffed may utilize examiners selected by the Commission from and with the consent of other agencies. For the purposes of this section, the Commission is authorized to make investigations, require reports by agencies, issue reports, including an annual report to the Congress, promulgate rules, appoint such advisory committees as may be deemed necessary, recommend legislation, subpoena witnesses or records, and pay witness fees as established for the United States courts.

CONSTRUCTION AND EFFECT

SEC. 12. Nothing in this act shall be held to diminish the constitutional rights of any person or to limit or repeal additional requirements imposed by statute or otherwise recognized by law. Except as otherwise required by law, all requirements or privileges relating to evidence or procedure shall apply equally to agencies and persons. If any provision of this act or the application thereof is held invalid, the remainder of this act or other applications of such provision shall not be affected. Every agency is granted all authority necessary to comply with the requirements of this act through the issuance of rules or otherwise. No subsequent legislation shall be held to supersede or modify the provisions of this act except to the extent that such legislation shall do so expressly. This act shall take effect 3 months after its approval except that sections 7 and 8 shall take effect 6 months after such approval, the requirement of the selection of examiners pursuant to section 11 shall not become effective until 1 year after such approval, and no procedural requirement shall be mandatory as to any agency proceeding initiated prior to the effective date of such requirement.

Mr. McCARRAN. Mr. President, Senate bill 7, the administrative procedure measure, was reported and placed on the calendar of the Senate in November last, after nearly a year and a half of very careful consideration and study by the Department of Justice, by other departments, and by the Committee on the Judiciary of the Senate. We have attempted in every way possible to explain the bill by graphs which have been laid on the desks of Senators from time to time, some of which are now, today, on our desks. We have submitted a report on the bill which is on the desks of Senators this morning, a most detailed report, which goes into every phase of the bill, so that any Senator who will make a study of it in my judgment can know what the bill pertains to and what it proposes to do.

I have on several occasions, as the record will show, advised the Senate that in the near future I would bring the bill forward for consideration, in or-

der that the Senate and Senators individually might make a study of it before it was proceeded with on the floor.

I implore my colleagues at this time to make a study of this bill before Tuesday next, because I hope we may go forward with this very important legislative proposal.

Mr. McCARRAN subsequently said: In connection with some brief remarks which I made earlier in the day with reference to Senate bill 7, the administrative law bill, I ask unanimous consent to have inserted in the RECORD in connection with those remarks a very scholarly address delivered by the Attorney General of the United States, Mr. Tom Clark.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

At your annual meeting in 1916, Elihu Root, as president of your association, made a memorable address on the subject of public service by the bar.

In the course of his speech he had occasion to recognize the inevitable development of a system of administrative law.

In this country, he said, such a system, "is still in its infancy."

The "infant" to which Mr. Root referred has had an extraordinary growth since that time.

So precocious has it shown itself that for the past 20 years it has been perhaps the primary subject of discussion among legal thinkers.

Some have considered the infant prodigy as a threat to our democracy—an alien system—a contrivance of self-seeking bureaucrats.

Others, with whom I agree, have recognized that the administrative process has had to expand to meet the needs of an increasingly complex civilization.

Full recognition, it seems to me, has not been given to the fact that the phenomenal events—two world wars of catastrophic proportions, and an intervening financial depression, all in one generation.

The belief is fairly common that the administrative process in the Federal Government is new—that it is wholly a creation of the present era.

Not at all. It is as old as the Government itself.

At the very first session of the First Congress under the Constitution, statutes were enacted conferring important administrative powers.

In that year—1789—the Congress passed laws involving the administration of customs and the regulation of ocean-going vessels—laws which are the antecedents of statutes now administered by the Bureau of Customs in the Treasury Department.

At that time the first pension law was passed—the first of a long series of pension laws now in the charge of the Veterans' Administration.

Payments to invalid pensioners were to be made under regulations issued by the President—an early recognition by Congress of the advantage of delegating to the Executive broad rule-making power within the framework of statutory policies.

In 1790, Congress initiated the succession of laws governing the issuing and recording of patents.

The Secretary of State, the Secretary of War, and the Attorney General of the United States were empowered to grant a patent to any person petitioning for it, if his invention or discovery were deemed "sufficiently useful and important."

In 1796, provision was made for trading with the Indians according to such rules as the President should prescribe.

In fact, the growth of the administrative process may be said to follow the path of the growth of the Union.

As problems have been encountered, they have been met—sometimes too quickly, it is true—sometimes not quickly enough.

To meet emergency problems, policies must be debated and adopted, appropriate governmental agencies must be established, appropriate procedures must be put into effect.

While hasty legislation is to be deplored, the lack of legislation may bring a result which will be mourned as "too little and too late."

It was the growth of steam navigation which gave rise in 1838 to "an act to provide for the better security of the lives of passengers on board of vessels propelled in whole or in part by steam."

This act made it unlawful for an owner of a steamboat to operate without a license from the collector of the port.

It was the rapid expansion of railroads, accompanied by discriminatory rate adjustments, irresponsible financial manipulation, and speculation, that led to the enactment in 1887 of "an act to regulate commerce," creating the Interstate Commerce Commission.

The creation of other agencies, to meet the needs of changing times, has steadily continued, in the State governments as well as the Federal.

The great advantage of administrative agencies is their flexibility, their capacity to do a complex task fairly and with dispatch.

A few weeks ago I read the fifth quarterly report of the Office of Contract Settlement.

I was amazed by the tremendous progress which has been made in settling terminated war contracts through administrative action.

The surrender of Japan caused the termination of over 100,000 prime contracts, involving \$24,000,000,000 in canceled commitments. Add to this the contracts that were terminated by VE-day and you have some realization of the gigantic task faced by the War and Navy Departments and by the Office of Contract Settlement.

Some 288,000 prime contracts, involving \$62,000,000,000 in canceled commitments, have been terminated from the beginning of our war production to date.

Of these, some 185,000 contracts, involving over \$25,000,000,000, have now been settled.

Similar records of accomplishment may be found in other administrative agencies.

The Interstate Commerce Commission receives, analyzes, and files thousands of rate schedules, applications, and complaints.

Yet that is only a part of its work.

The Social Security Board keeps literally millions of records, and disposes of eight or nine hundred thousand claims a year.

The Grain Standards Administration in the Department of Agriculture supervises over a million gradings of grain annually.

In the light of these few examples, it is no wonder that Congress has resorted more and more frequently to the administrative process as an instrument for the execution of its legislative policies.

An examination of an act with which we are all familiar—the Selective Training and Service Act—will serve to illustrate the manner in which the Congress has placed broad rule-making and adjudicatory functions in a single agency.

In this statute Congress wisely refrained from seeking to control every possible aspect of the induction process.

Instead, Congress incorporated into the act a general statement of the policy to be pursued in inducting men into the armed forces.

It has delegated to the President the power to make such rules and regulations as may be necessary to carry out the congressional policy.

The President, under the express authority of the act, has delegated broad powers to the Director of Selective Service.

The Director, by virtue of his highly specialized duties, is in a position to know the day-to-day needs of the armed forces and the

manner in which those needs can best be met.

The Director has been able to weigh such considerations as age, occupation, and family status in formulating the rules guiding induction.

It is these rules, promulgated by the Director of Selective Service, that have given the act its flexibility and vitality.

In addition to the grant of rule-making power, the Selective Training and Service Act makes provision for the performance of quasi-judicial functions within the administrative framework.

Registrants who are dissatisfied with their classification may ask for a hearing to obtain a deferment, or a different classification.

The local selective service board hears and decides such complaints.

Should the registrant be dissatisfied with the decision of the local board, he has recourse to a local board of appeal and, in exceptional circumstances, to the President of the United States.

Such are the manifold administrative remedies which the act provides.

The administrative process, of course, has not been free of criticism.

Some of this criticism has been based on a disapproving view of the legislative policies which the agencies are bound by law to execute.

Some of it has been based on dissatisfaction—sometimes no doubt justified—with the procedures followed by some of the agencies.

Many members of the bar have vigorously opposed the growth of the administrative process.

This opposition, to quote Chief Justice Stone, is "reminiscent of the distrust of equity displayed by the common-law judges and of their resistance to its expansion."

Instead of resisting its growth, he added, the legal profession should seek "to adopt the undoubted advantages of the new agencies as efficient working implements of government, surrounded, at the same time, with every needful guarantee against abuse."

Your association, over a period of many years, has taken a very keen interest in problems of administrative law and procedure.

Your special committee on administrative law, since its formation in 1933, has steadily sought to have Congress enact regulatory legislation in this field.

And I think it is fair to say that we, in the Government, have also worked hard in the same general field in an effort to improve our procedures. As defects have been pointed out, we have tried to correct them.

We have tried to make of the administrative process an efficient and, withal, fair implement for the proper functioning of government.

In 1939, President Roosevelt directed Attorney General Murphy to select a committee of eminent lawyers, jurists, scholars, and administrators to investigate the need for procedural reform in the field of administrative law.

For 2 years this committee on administrative procedure examined carefully the workings of the more important administrative agencies.

In 1941, its full report was given to the President and to the Congress.

The committee made a number of specific recommendations for the improvement of the procedures of particular agencies—recommendations which, in the main, have been adopted.

In addition, the majority of the committee made general recommendations, embodied in a bill which it prepared for submission to Congress.

Further effort looking toward general legislation in the field of administrative law was in large measure necessarily suspended during the war years.

A number of bills on this subject have, however, been introduced in the present session of Congress.

I should like to speak particularly of the McCarran-Sumners bill.

For the past several months your special committee on administrative law and the Department of Justice have collaborated with the Judiciary Committees of both Houses, at their specific request, in seeking to arrive at a final draft of the McCarran-Sumners bill which would be acceptable to all interests concerned.

I think the hard work which has thus been carried on has been rewarded with success.

The final draft of the McCarran-Sumners bill, recently reported favorably by the Senate Judiciary Committee, may be described as a restatement of the law of due process for administrative agencies.

It establishes minimum procedural requirements in terms applicable to all administrative agencies of the Federal Government.

Broad general principles are laid down with a sufficient degree of definiteness to protect the public in its dealings with the Government.

Recognition has been given to the fact that not every function of governmental agencies can be regulated uniformly.

Their functions are far too varied for an over-generalized approach.

Adjudications of disputes between citizens, for example, are to be sharply distinguished from such matters as disposals of surplus Government property.

Accordingly, appropriate exceptions have been made, not of agencies as such, but of certain of their functions.

War and defense functions, for example, are exempted from all the provisions of the bill except the section requiring increased public information.

Appropriate exceptions, too, have been made of functions of the United States requiring secrecy in the public interest, such as the confidential operations of the Secret Service and the Federal Bureau of Investigation.

The paramount public interest is also appropriately recognized.

Thus, while the general rule is that agencies must publish notice of proposed rule-making in the Federal Register, such notice need not be given where it is contrary to the public interest.

Yet, in such circumstances, an agency must make a finding to that effect and incorporate a brief statement of the reasons therefor in the rules issued.

The basic scheme underlying this legislation is to classify all administrative proceedings into two general categories, namely, rule-making and adjudication.

But the bill does not specify the agencies which have rule-making powers and adjudicatory functions.

To determine that, reference must be made to the special laws Congress has enacted for a particular agency.

Proceedings are classed as rule-making under the bill, not merely when they result in regulations of general applicability (something akin to the legislative process), but also in certain cases involving subject matter demanding judgments based on a wide range of technical knowledge and experience, such as corporate reorganizations and prescription of rates for the future.

Proceedings are considered as adjudications, on the other hand, when the element of accusation is strong, and individual compliance or behavior is challenged.

It is important to bear in mind the essential difference between these two types of proceedings in order to understand why the doctrine of segregation of functions is applicable only to adjudication.

Adjudication, being quasi-judicial in character, must be conducted in quasi-judicial fashion.

For this reason, the examiner who presides at the hearing in such a proceeding is forbidden to consult with any person or party on any fact in issue unless upon notice and opportunity for all parties to participate.

Further, such an officer is not to be responsible to or subject to the supervision or direction of any person engaged in the performance of investigative or prosecuting functions.

The purpose is to divorce the trier of facts from the prosecutor.

Such a separation of functions will be found today in most, if not all, Federal agencies.

A separation of this sort, however, would be completely unrealistic if applied to rule-making, since there the presiding officer is not a trier of facts.

He sits to determine the advisability of the enactment of a rule, and should be allowed to call on all available sources for his information, including the highly specialized knowledge of the members of the agency staff.

In adjudications, the presiding examiner will generally be required to make a decision or recommend a decision.

In rule-making, the agency may in its discretion dispense with the decision of the examiner.

Some of the agencies, such as the Federal Communications Commission, find that in a field as highly technical as theirs the report of an examiner is not of great value or importance in the formulating rules.

But such a report is of fundamental importance in formal adjudications. Here, in view of the adversary nature of the proceeding, the presiding officer must evaluate evidence and consider the credibility of the witnesses.

I shall not attempt to cover all the provisions of the bill in the brief space of time remaining.

Of particular importance to the public, and to the legal profession as well, is the requirement that administrative agencies publish, or make available, an increased measure of information concerning their organizations, functions, and procedures.

I should also mention the requirement that trial examiners be appointed for each agency to conduct formal hearings.

They are to perform no duties inconsistent with their functions as examiners, and are to receive compensation prescribed by the Civil Service Commission.

The conditions of their tenure are designed to insure their impartiality and independence of judgment.

The section of judicial review of administrative action will be of particular interest to this audience.

Its provisions, while fully safeguarding the rights of aggrieved individuals, will not in my judgment hamper the proper conduct of administrative business, thus there is no right to a review of any agency action which is by law committed to agency discretion.

Courts are not to set aside agency findings unless they are found to be "arbitrary, capricious, or otherwise not in accordance with law," or "unsupported by substantial evidence."

Due account is to be taken of the rule of "prejudicial error."

The section thus enacts in statutory form those aspects of existing law which are generally recognized as most sound and practical in their application.

These are days of upheaval, change, and overturn, in the methods and procedures that were adopted in the years of war.

We lump it all under the head of reconversion.

It is a nice word, but it does not imply the bad faith and the grudges, the bad blood and the hostilities which we see everywhere.

But we will have to get over some of our childishness if we wish to be successful in

bringing prosperity under peace to this land of ours.

The time has come for business, in its two great subdivisions of labor and management, to cooperate with Government.

We need the sort of three-horse hitch that we had during the war, to get the wagon moving.

Labor is big business in our national life, as well as management, and it must be considered as such.

Business including labor in this day of our development has far more responsibility than just making money for its own members.

It had a national responsibility to the public during the war and it has the same responsibility in the peace.

We are bickering and squabbling like back-fence cats, where if we get into production the present problems of wages and prices will tend to settle themselves.

How foolish we are to try to settle decimal points when we have not given the forces of production and competition a free play, and before the inexorable laws of supply and demand can be applied.

Let's jump off the merry-go-round and into production.

The task of business, including labor, is to create the highest possible levels of employment and productive activity.

A primary task of the Government is to assist in this process.

It must at the same time alleviate and correct impediments to the development of our economy.

The Government must, in the interest of society as a whole, regulate where regulation is required.

It must assist where assistance is needed.

But it is my firm belief that these necessary processes of business and the Government can be conducted on a plane of mutual understanding.

We lawyers have an unusual opportunity in this field.

During the war 40,000 lawyers donned the uniform so that the democratic processes might survive.

Now, greater than ever, is the need for this honored profession to make added efforts to bring about adequate cooperation in the national recovery.

Too often do we consider ourselves members of the wrecking crew rather than the construction gang.

Let's build rather than tear down.

The lawyer is, in countless situations, the intermediary between business and administrative agencies.

By his understanding of the problems of Government, as well as those of business, he can be of invaluable aid to both, and to our society as a whole.

The McCarran-Sumners bill in its present form seems to me to be a real contribution toward achieving this solid basis of cooperation.

If it is adopted it will be an earnest on the part of the Federal Government that it is willing to require of all Government agencies the highest standard of conduct, with full publicity and full opportunity for judicial review of administrative action.

The bill will offer to the public and to the legal profession statutory assurance that these standards must be strictly observed.

The legal profession will have the heavy responsibility of seeing to it that the provisions of the bill are used as a means of bringing about the more effective and just carrying out of governmental business, rather than as a means of hampering or delaying that business.

The courts will have a similar responsibility.

I have no doubt that they will use their powers wisely.

The Supreme Court has reminded us that "Although the administrative process has had a different development and pursues somewhat different ways from those of

courts," administrative agencies and courts "are to be deemed collaborative instrumentalities of justice, and the appropriate independence of each should be respected by the other."

In this spirit, we may look forward to the establishment of a firm basis of cooperation and understanding.

REORGANIZATION OF CONGRESS—STATEMENT BY BEARDSLEY RUMI

Mr. MURRAY. Mr. President, in connection with the proposed reorganization of the Congress, it will be interesting to note the advice recently given by Mr. Beardsley Rumi, a distinguished representative of the business world, on the subject of strengthening our democracy. If competent men are to be attracted to public life consideration must be given to the views expressed by this able student of our American system.

I ask that his views, which were broadcast Sunday, March 3, 1946, on the National Broadcasting Co.'s National Hour, be printed in the RECORD in connection with these remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Strengthening our Congress is one of the big jobs that has to be done to strengthen democracy at home and to make democracy the foundation for a peaceful world. Democracy must be made to work better, and to make democracy work better our Congress must be strengthened so that it can meet the requirements of modern conditions with modern methods. Much study has been given to the problem both in and out of Congress, but the time has now come to act. Strengthening the Congress is one of our number one reconversion jobs.

Many detailed suggestions have been made. I shall mention only two. First, there should be majority and minority policy committees that would make party responsibility a reality. Without party responsibility there can be no democracy that truly functions. Second, congressional salaries should be raised, not by the inadequate amounts that are being discussed, but to \$25,000 the minimum compensation that should be paid for the top legislative job in the world's top democracy. This \$25,000 rate was unanimously recommended by the agriculture, labor, and business committees of the National Planning Association after study and report by Robert Heller, the distinguished Cleveland management engineer. Study of the facts makes the \$25,000 rate inescapable if we are to treat our Congressmen justly and if we are to be just to our democratic legislative process. If it is politically awkward for Congressmen to raise their own salaries we of the National Planning Association say, "Let the question be referred to the Supreme Court for an impartial recommendation." But let us not permit political fear and delicacy to saddle a substandard rate on our congressional representatives.

Unless the full correction of the present unjust situation is made at this time we are likely to go on with half-way salaries indefinitely. In the long run this will be bad for Congress and an obstacle to the strengthening of our democracy.

PRESIDENT HOOVER AND THE FAMINE SITUATION

Mr. SMITH. Mr. President, in connection with the famine situation in Europe, I call attention to the text of a day letter telegram sent from Florida on February 26 by former President Hoover to Secretary of Agriculture Anderson, accepting the invitation of the Secretary that

Mr. Hoover participate in the setting up of the famine committee to take care of the desperate need in Europe and other parts of the world.

It is a great gratification to those of us who were associated with Mr. Hoover in the Food Administration in World War I and the relief operations during that war and afterward that Mr. Hoover has been invited by the President of the United States and the Secretary of Agriculture to participate in this important work. This is definitely an American project over and above any possible partisan consideration, and to me it is very inspiring that President Truman should have invited his only living predecessor to undertake this important task. During World War I, as we all know, Mr. Hoover headed up the magnificent work that was done in the administration of our food problems, and in organizing, after the war, the great relief undertakings that were one of the outstanding contributions of our country toward relieving the suffering of people throughout the world.

I call special attention to the fact that in Mr. Hoover's day letter telegram to Secretary Anderson, based on the wealth of his experience in matters of food relief, our former President urgently recommends that all food questions, whether of production, rationing, distribution, or price control, should be centered in the hands of one food administrator, in this instance, Mr. Anderson, Secretary of Agriculture, and in connection with this over-all recommendation, he recommends specifically that, so far as price controls of foodstuffs are concerned, the authority should be transferred immediately from the OPA to the Secretary of Agriculture. This, in my judgment, Mr. President, would relieve one of the difficult problems which are facing us in handling this famine situation, and would short cut the whole process of speeding food to Europe in this time of dire emergency.

In his telegram Mr. Hoover also suggests that the cooperation of the American people in this important humanitarian endeavor should be put upon a voluntary basis, as was so successfully done in World War I. In his telegram Mr. Hoover also points out that in his judgment the food program can be handled by the present Government agencies without adding to existing personnel and without requiring the setting up of a separate organization.

The short, concise recommendations contained in this telegram give such a clear-cut picture of how this desperate famine situation should be handled that I feel it is well worthy of the study of all of us who are so deeply concerned that this acute distress should be relieved by American cooperation as expeditiously as possible.

Mr. Hoover's day letter telegram to which I have referred is as follows:

CRAIG, FLA., February 26, 1946.
HON. CLINTON ANDERSON,
Secretary of Agriculture,
Department of Agriculture,
Washington, D. C.:

I have your message, and I would like to be of help in any question of starving peoples. I recently issued a statement supporting President Truman's call for conservation of

food on the assumption that desperate need had been established.

On thinking the matter over I do not believe the suggested general committee organization outside of the Government, though helpful, would cover the whole emergency. I recommended to the President last May that all control of food, scattered over different Government agencies, should be lodged in you as Food Administrator, because that office is inseparable from the Secretaryship of Agriculture. I am advised that this was not done. It should be done now. In any event only an official of Cabinet rank and an existing organization can create and direct the quick campaign that is needed now because shipments from the United States after the end of June will be of no avail in this famine and it is already very late to start.

In order that there be no delay in giving you the advice you request, I suggest steps in voluntary organization as follows:

The first step is for you as Food Administrator to be given complete authority over elimination of waste and unnecessary consumption, hoarding, substitution of foods, and control of exports and imports.

The second step in order to gear your organization is to determine:

- (a) World need.
- (b) World surpluses.
- (c) Possible American surpluses.
- (d) What kind of food in all cases.
- (e) How much of each kind of food you can and should export from the United States without injury to public health.

I cannot adequately advise on this phase as it would require exhaustive investigations at home and abroad, and I assume you already have such information.

The third step is to constitute the State directors of the Department of Agriculture as State food administrators, and the county agents as county food administrators.

The fourth step is for you to ask each of the food trade associations, such as hotels, restaurants, bakers, packers, millers, etc., to appoint emergency famine committees under some respected leader, they, together with the experts of the Department of Agriculture, to work out ways and methods of voluntary action in each of their trades to save waste, unnecessary use, to devise substitutes, and to secure the adherence of the members of the trades to this voluntary program.

The fifth step is to prepare a simple program for housewives which will eliminate waste, save unnecessary consumption and make use of substitutes. This should be a voluntary program. Your State and county food administrators should organize the women in their localities and see that food trades are fully organized also.

All this can be done by the present Government agencies without adding to personnel and does not require the setting up of separate organization. It seems to me that if the situation is urgent, as I believe it is, then this is the only course to pursue in order to get quick and effective results.

HERBERT HOOVER.

GIVE FARMERS A BREAK—STATEMENT BY SENATOR THOMAS OF OKLAHOMA

Mr. THOMAS of Oklahoma. Mr. President, I have just released to the press a statement entitled "Give Farmers a Break." I ask permission to have the statement printed in the RECORD at this point in connection with my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Today's papers contain news stories to the effect that the Office of Price Administration will adopt a tough price policy with respect to farm products generally.

The OPA, working in conjunction with the Commodity Exchange Administration, is un-

dertaking, so the papers state, to have the various commodity exchanges increase their margin requirements on cotton to the amount of \$50 per bale, or \$5,000 per contract of 100 bales.

It is the obvious purpose of this move to force the price of cotton down. Even the suggestion of this unprecedented act caused the price of cotton to fall over \$5 per bale, thus causing a loss to the owners of the 11,000,000 bales of cotton in the United States of some \$55,000,000.

The same tough policy proposed to be put in force against cotton has had a similar effect upon the price of stocks listed on the various exchanges of the country.

Commentators, in analyzing the effects of radio statements by responsible officials, state that such policy caused a slump in the value of stocks of some \$4,500,000,000.

Those favoring a tough policy with respect to prices of industrial and farm commodities must favor a system wherein one man, or a small group of men, may, by making a single radio speech or using their official position, try to control prices either by discretionary power or through bluffs raise or lower prices at will.

Farmers are the only group in America that have not had a break during the war period. Wage earners have had their income increased in some instances by more than 300 percent. Industry has made such profits as to force the Congress to provide a system of renegotiation in order to keep such profits at a reasonable level.

Farmers, during the long years of the depression, were forced to produce the food necessary to feed our people at bankrupt prices. Cotton sold for less than 5 cents per pound, wheat sold for less than 20 cents per bushel, corn sold for less than 15 cents per bushel, and livestock sold for less than 3 cents per pound.

Since all other groups have profited during the war period, it would seem not unjust that farmers should have a chance to recoup at least a portion of their losses sustained during the depression years.

Today, with farm prices scarcely up to parity, the responsible officials are taking steps to beat down existing prices, and to the extent that they are successful, farmers will be injured.

Recently the same officials have consented to a general increase in industrial wages of some 18½ cents per hour, while they must, or should, know that the cotton farmer receives for his hourly labor only the amount of the price of a pound of raw cotton, which on the spot market is less than 25 cents per pound.

This means that with cotton selling for 25 cents per pound, the cotton farmer receives 25 cents per hour for his labor in planting, chopping, picking, and marketing the product.

Inasmuch as this issue will be raised in connection with the proposed extension of the Price Control Act, and inasmuch as the Senate Agriculture Committee has jurisdiction over agriculture matters, as chairman of such committee the moment the House committee reports the Price Extension Act to the House and we know the provisions of the bill, I propose to call the Senate committee together to consider the present status of agriculture prices under the existing law and under the law that may be passed extending the life of the Office of Price Administration.

In order to develop the facts, the representatives of the various farm organizations will be invited to attend the hearings. Also, the secretaries and directors of agriculture in the several States will be invited. In addition, the representatives of industries processing, distributing, and dealing in farm commodities will likewise be invited to advise the committee with respect to the effects upon production of the existing law and the probable effects upon future production of

farm commodities if the law should be extended.

It is the opinion of many persons engaged in the farming industry that the acute shortage of supplies, as well as the existence of the numerous strikes, is the direct result of the mistaken policies of the Office of Price Administration and if the hearings develop the facts that the present rules and regulations with respect to farm prices are responsible for the present low prices of farm commodities when compared with the prices of industrial products and the wages of labor, and if it is developed that the production of farm products necessary for food and clothing will be retarded rather than helped by a continuation of such rules and regulations, then it will be the policy of the representatives of the farm industry to oppose a continuation of any law that will give the Office of Price Administration the power to fix prices on farm products.

The many letters coming to my office convince me that the opinion is current throughout the agricultural sections that the Office of Price Administration is definitely opposed to farmers recouping any of their losses sustained during the depression and to that extent farmers generally are being discriminated against by the agencies of their Government.

This general belief is the prime cause of the millions of farmers who have already left the farm and migrated to the cities seeking work in industry. Further, it is the cause of many farm boys returning from military service refusing to return to the farm, and instead seek homes and positions in the cities.

These developments will be considered by the committee the moment the Price Control Extension Act is reported for passage.

JURISDICTIONAL LABOR DISPUTE IN NORTHERN CALIFORNIA CANNING INDUSTRY

Mr. KNOWLAND. Mr. President, there is a matter of importance which I feel should be brought to the attention of the Senate. It not only adversely affects the people of California but also is most detrimental to the domestic and to the world-wide food supply.

As the result of reports from abroad of current food shortages and the danger of mass starvation in some countries, the President of the United States called together a group of representative citizens for the purpose of developing a food-conservation program that would better enable us to carry out our obligations.

Prevention of starvation cannot be secured by passing resolutions or by wishful thinking. The problem can only be met by the production and conservation of food and its shipment to the place of need.

On March 1 the A. F. of L. Teamsters Union put into effect a boycott of northern California canneries. This is not a controversy between employer and employee. The disruption of the canning industry is a result of a jurisdictional fight between the CIO Food, Tobacco, Agricultural and Allied Workers' Union of America and the A. F. of L. Cannery Workers' Union, affiliate of the Teamsters' International.

The State of California leads the Nation in the combined volume of production of processed fruits and vegetables. Of the total of nearly 170,000,000 cases of fruits and vegetables packed in the United States in 1945, California produced more than 55,000,000 cases or nearly one-third of the Nation's total output. Approximately 60 percent

of the entire national fruit pack is produced in California, while 23 percent of the total vegetable pack is produced in that State.

The membership of California Processors and Growers, Inc., process nearly 80 percent of the total volume of fresh fruits and vegetables (exclusive of citrus fruits) packed in California, and employs 80 percent of those gainfully employed in the canning industry of the State. Based on the near-record production of 1945 and with the knowledge that the canning industry plans in 1946 to equal or exceed this record, it is estimated that the entire fruit and vegetable canning industry will employ approximately 51,750 workers to produce processed fruits and vegetables having a retail value of more than \$335,000,000. The membership of California Processors and Growers, Inc., expects in 1946 to employ approximately 41,400 workers to produce 44,000,000 cases of fresh fruits and vegetables with an estimated value, at current prices, of \$264,000,000.

It is this food supply which is jeopardized by a jurisdictional fight between the American Federation of Labor canneries union and the CIO Food, Tobacco, Agricultural and Allied Workers' Union of America.

On Friday, March 1, the San Francisco Chronicle pointed out in a lead editorial the seriousness of the problem and the complications growing out of the decisions of the National Labor Relations Board. The editorial reads as follows:

WHILE THE WORLD GOES HUNGRY

A few weeks back the National Labor Relations Board penned some words which in the normal course of events are going to have an effect upon the entire world. Because the ramifications of these words are important to the California housewife, the Czechoslovak peasant, the Russian worker, and the French tradesman, they bear quoting.

Discussing last fall's challenged elections among the northern California cannery workers, the Board ruled that the results of the election should be set aside. But the important words are these:

"While we view the record as requiring this result, we reach it with considerable reluctance, because it means that the employees will have no bargaining representative to negotiate an exclusive collective agreement to cover the coming season, until a new election can be held, which may result in one of the rival unions being certified. The current AFL contract will expire on March 1 and, since the legal effect of the foregoing determination is to keep the question of representation pending before the Board, none of the unions is entitled to an exclusive status as the bargaining agent after that date . . ."

Today is March 1. As of this date the AFL Teamsters' Union has scheduled a boycott of northern California's canneries, which will close them up tighter than a drum. In the next 4 or 5 months, unless some settlement is reached, one-third of the Nation's annual crop of canned fruits and vegetables—the normal allotment of this prolific region—will rot in the fields. At a time when the United States has shouldered the burden of feeding a good part of the world, as well as its own people, the consternation will not be limited to Americans. Other, hungrier peoples will turn to us with the same question, "Why?"

It will be the purpose of this editorial to reduce the answer to its simplest terms.

For the past 9 years, the AFL Cannery Workers' Union, an affiliate of the Teamsters'

International, has had an exclusive bargaining contract with the canners of northern California. The current contract, of 1 year's duration, expires today.

Last fall the CIO Food, Tobacco, Agricultural and Allied Workers' Union of America, the FTA, which had undertaken to organize the cannery workers, asked the NLRB to hold an election to determine whether the majority of workers preferred the AFL or the CIO.

On the basis of counted ballots, the CIO won a plurality by some 1,200 votes, but failed to win a majority. The AFL promptly challenged some 1,290 of the ballots, and the Labor Board declared the election null and void, and recommended another election be held at the next period of fullest employment in the industry—next July or August.

But the NLRB did not stop there in its decision. It went on to proclaim, in the words quoted above, that "in accordance with well-established principles" the employers had but two alternatives during the season just ahead—to bargain with all unions on an impartial basis, or to bargain with none.

The AFL, thus seeing its exclusive grip on the industry broken by Board ruling without the benefit of a valid election, rebelled. The CIO, on the other hand, quite understandably hailed with joy this opportunity to get its foot in the door without the usual recourse to a formal election.

So the teamsters said, in effect, "Extend our 9-year contract until such time as a new election is held, or we won't play."

And the CIO told the employers, in effect, "You heard what the NLRB said, now abide by the ruling."

The employers, this time, are by no means alone in their role of innocent bystander caught in the middle. They have with them the farmers, who stand to lose the profits of a year's labor; the American public, which stands to lose a third of its fruit and vegetables for the year; and a few million hungry world citizens, who seem about to learn that the vaunted American food surplus which was to tide them through the next year is in large part a mirage.

The neutrals who are charged with unraveling this knot like to dream of going back to the day the NLRB rendered its decision, and conjuring up a ruling which merely voided the election, without any added strings with regard to what the employers could or could not do by way of bargaining. That way, the AFL could have renewed its contract, the CIO could, had it desired, have challenged the legality of it, and the whole thing could have gone into extended litigation. In the middle of the litigation, the regular election could have been held as scheduled next summer, and the result would have rendered the litigation strictly academic anyway. Meanwhile, the produce would have been canned on schedule.

But that's just a pipe dream. What the conciliators have to face now is the problem of which alternative they can persuade the parties to accept—if any.

The teamsters' union could, if it chose, back down from its boycott. This would constitute a piece of labor statesmanship which would gain the union more in public esteem than it stands to lose in leaving the CIO's foot in the door.

The NLRB could, if it chose, modify its decision, even at this date, to leave the way open for litigation to take place while the crop is being canned.

Such action on the part of the Labor Board would involve loss of face, true, but the loss would be rather nominal. Its bureaucratic face is not in very good repair at this point anyway, considering that, through its stubborn administration of book rules, it has jockeyed a vital industry into a cul-de-sac which is currently baffling the best minds of the conciliation service. The NLRB muffed a golden opportunity for some bright

labor statesmanship of its own when it failed to resist the temptation to write its own interpretation of the Wagner Act into its decision. The face it stands to lose in reversing itself now is trivial as compared with the amount of the same commodity it may relinquish if the pending mass crop-rotting becomes a fact.

And, unfortunately, the NLRB's face is not the only factor at stake at this moment. The health of a few million Americans, and the lives of a few million unfortunates elsewhere in the world, demand consideration in this crisis.

Mr. President, since the date of the editorial I have just read, the teamster blockade continues at all plants covered by the Labor Relations Board order. Results so far are that one plant at Stockton closed; one Oakland plant has had to reduce operations 40 percent; one San Jose plant has had to reduce 65 percent; two Alameda County plants are down one-third; construction programs are being starved out for lack of materials in six plants; others are faced with progressive shut-downs while the spinach crop starts to arrive in volume this week end. While the actual crop losses are at a minimum so far, the perishable nature of crops now maturing means that disastrous losses of food will be inevitable beginning within the next few days because of lack of trucking and also the impossibility of making plants ready for operation.

In addition to the American Federation of Labor active blockade, the industry has recently received a telegram from the CIO announcing that the steel workers holding contracts with can manufacturing companies intend to "give fullest support to the FTA-CIO campaign."

In between the pressures of these two great and powerful labor organizations is the major part of the canning industry of California. Starting today the spinach crop should be coming into these plants—the estimated 1946 pack is 48,000 tons. On April 15 the asparagus crop will start coming in with an estimated pack of 53,170 tons; apricots June 15 with an estimated pack of 260,000 tons; peaches on July 15 with an estimated pack of 754,000 tons; pears on July 15 with an estimated pack of 290,000 tons.

The American Federation of Labor has filed new union shop agreements with about 20 canneries not under the National Labor Relations Board order, which have a small total capacity and they are operating without interference.

With the serious food shortages facing the world this is not a time for a private fight for prestige or position on the part of either the American Federation of Labor or the Congress of Industrial Organizations. They both have a public responsibility and a public accountability. These two great and powerful labor organizations should be the first to recognize that with power must go responsibility. Collective bargaining as established by national law was never meant to entail collective bludgeoning.

The National Labor Relations Board is the agency primarily responsible for the development of this chaotic condition in California. There is the prime responsibility in finding an immediate method of bringing order out of chaos.

However, time is of the essence. The Secretary of Labor should call into conference the responsible labor officials and bring home to them the necessity of an immediate solution to this jurisdictional controversy. It is a sufficiently important matter for the President of the United States to give it his attention. Certainly the Congress of the United States must itself take an interest in seeing to it that jurisdictional disputes of this kind are not allowed to jeopardize our food supply, retard our reconversion program, and by retarding production add to the inflationary danger with which our Nation is faced.

There has never been a time in the history of the Nation when it was more important for the leaders of organized labor to demonstrate their statesmanship. Now is the time and here is a place to demonstrate that they have this sense of responsibility and are placing the public interest paramount.

THE TRUTH ABOUT HOME BUILDING IN 1946—WORK STOPPAGES IN INDUSTRY

Mr. MOORE. Mr. President, Cushing, Okla., is a city of substantial size and typical of many such places in the United States. It has the usual number of industries, including three lumber yards which have no lumber or material to sell. The three lumber companies have made a statement in the form of a paid advertisement, which I wish to quote with approval. It reads as follows:

THE TRUTH ABOUT HOME BUILDING IN 1946

It's time veterans and all citizens were told the truth about the home building situation.

The main bottleneck to home construction is production of materials and equipment. No legislation, Presidential announcement, Government-control plan, or system can produce a single additional home until production of materials is speeded up.

Lumber dealers and the building industry are eager to build homes for veterans and all citizens who need them. The reason few homes are being built is because materials are not being produced.

Why?

1. Governed by OPA's wartime pricing formulas, it is still more profitable for lumber mills to make items for export—and the items formerly required for war use, than it is to make lumber usable in home construction.

2. OPA's wartime pricing formulas are still keeping thousands of small mills out of production.

3. OPA's enforcement policies have allowed the creation of a large black market in lumber which is moving outside of regular channels of trade.

4. OPA's slowness in adjusting mill ceiling prices on hardwood flooring, siding, millwork, and plywood has contributed to the difficulties mills are having in securing necessary manpower.

With 400 brick and tile plants closed, it took 6 months for OPA to adjust prices. Now an additional 125 plants have opened and production is up 35 percent.

Clay sewer pipe, cast iron soil pipe and gypsum board manufacturers have experienced a similar OPA delay in the granting of price adjustments to make increased production possible.

No amount of juggling with an insufficient supply will produce a single home more than can be built with material available.

The OPA can hardly hold present price ceilings when it has no control over volume of employment, labor wage rates, cashing of Government bonds, and installment or credit expansion—but the OPA can act as a block

to reconversion by clinging to unrealistic wartime price ceilings.

Unblock the production of materials caused by unrealistic wartime price controls and the building industry will build enough homes for veterans and all Americans.

Any Government program that does not first remove the obstacles blocking production of materials will simply add additional difficulties to the problem facing the building industry.

STEPHENSON-BROWNE LUMBER CO.
T. J. HUGHES LUMBER CO.
LONG BELL LUMBER CO.

Mr. President, I think that is the situation and the sentiment and the understanding of the people throughout the country. For the life of me I cannot understand how the Congress of the United States can, in response to the sentiment and understanding of the people of the country, see any sense in the extension of the OPA.

Mr. President, the Case labor bill passed the House by an overwhelming majority of 258 to 155. This vote is a reflection of the public demand that the Congress place necessary legal limitations upon labor unions and industry to end the chaotic economic conditions resulting from the Nation-wide CIO Communist-inspired labor stoppages and to protect the public from violence. The vote was the voice of the people exclaiming in no uncertain terms that they are sick and tired of the antics of these lawless mobs masquerading as labor unions. Work stoppages and the shut-downs of production experienced since VJ-day cannot be dignified by the term "labor strikes." Actually, they are outbreaks of communistic revolutionary forces. True, they are led by small minority groups; nevertheless, if they are not brought within legal restraints applicable to all the rest of the population their lawless acts will lead to a complete national break-down of our social and economic institutions. We have witnessed the recent spectacle of four large cities—New York, Philadelphia, Pittsburgh, and Houston—prostrate at the hands of public employees under the leadership of labor racketeers. We have witnessed the unrestrained violence and terror of these organized mobs, as exemplified at the Yale & Towne Lock Co., of Stamford, Conn., where officials attempting to enter the plant were beaten into insensibility. We have witnessed riots, violence, and, in a few cases even murder in St. Louis, Detroit, Chicago, and dozens of other industrial centers. We have suffered the indignities of uncontrolled rioting on the west coast by Communist-led mobs. Local authority has been either inadequate or too timid to cope with these national organizations. The work stoppages and the violence have predominantly occurred in industries engaged in interstate commerce and subject to the National Labor Relations Act.

The administration has proven itself as inadequate or as timid as the local authorities. In a thoroughly confused state the administration has aimlessly wandered from one ineffective suggestion to another.

On more than one occasion I have asserted that the present administration is obviously a captive of the CIO Com-

munist movement. The internal administration split between the Roosevelt Reds on the one hand and the Truman politicians on the other, has made the CIO the balance of power in the executive branch of our Government. Labor racketeers, drunk with authority derived from New Deal legislation, have put a stranglehold on reconversion. This has been accomplished by a two-way program; first, by forcing the administration to continue wartime control of prices and critical materials that prevents mass production, and at the same time forcing the administration to remove wage controls, until a pattern for wage raises had been well established. Thus the economic gap was widened and the damage to private enterprise was increased, and the movement to a socialized economy accelerated. The second part of this two-way program entailed work stoppages, destruction, and violence in our key industries, and particularly among groups of employees serving municipalities and public utilities.

We are now going into the seventh month since VJ-day and reconversion is yet at a standstill. Shortages are becoming more severe. Prices are increasing and inflation is rampant. A large segment of the public is inadequately housed. Yet the tools of industry are decaying in rust for lack of use. The people are discouraged. Incentive and ambition are dying. Bureaucracy grows bigger and more powerful. Survival of private enterprise is threatened. Constitutional government has become a thing of ridicule. The administration laughingly tells us that everything is going to be all right.

It was encouraging to see so many Members of the House heed the voice of the people and pass the Case bill as a timid step forward in making these lawless mobs amenable to legal restrictions applicable to other citizens. At that point progress stopped. The public is due for another disappointment. I refer to the action of the Education and Labor Committee of the Senate which has made it clear that neither the Case bill nor any similar legislation will be passed. The chairman of that committee is reported in the press as having publicly stated, even before the hearings on the bill were concluded, that the proposed legislation would never be reported from the committee. I am now informed that the Case bill has been rejected, and that a subcommittee has been appointed to write a substitute measure, with assurances from the chairman that no drastic legislation will be recommended. In the face of the evidence that has been so forcefully presented to so many committees of the Congress on many occasions in recent months, it is hard to escape the conclusion that the action of the committee in refusing to report this piece of legislation is anything short of political expediency and amounts to an acceptance of the rule-or-ruin policy of these CIO Communist mobs which are led in many cases by sympathizers and advocates of Russian totalitarianism.

So long as the communistic forces that are responsible for our labor stoppages, the freezing of production, a controlled

economy, high prices, and inflation continue to operate, stagnation will prevail. Ultimate collapse is certain, and with it our constitutional form of government will vanish.

The responsibility is squarely upon the shoulders of the majority party membership of the Congress. The House has acted, not once, but on numerous occasions, with courage and with sound economic and social foresight. On each occasion the Senate has yielded to forces that are not in tune with Americanism. I suggest to the majority membership that they must be prepared to assume full responsibility for the consequences that must surely follow their negative policy.

There is nothing in the Case bill as it came from the House that is antilabor or can fairly be described as drastic. The provisions of the House legislation impose upon labor unions no restraint not imposed upon every other citizen of this country.

Millions of our people are desirous of working. We have hungry markets, and only by releasing the forces of production can we satisfy these markets and return to a stable economy and reasonable prices under the private-enterprise system.

THE ST. LAWRENCE SEAWAY

Mr. AIKEN. Mr. President, on January 21, 1946, Mr. Frederick S. Blackall, Jr., president of the New England Council, wrote a letter to the Senator from Massachusetts [Mr. SALTONSTALL] setting forth the objections of the directors of the New England Council to the proposed St. Lawrence seaway development. The letter to the Senator from Massachusetts was made public, and several thousand copies of it were distributed among New England businessmen. The letter contains so many unfortunate and erroneous statements that I have felt that it should be replied to. So I have done so, and in writing to Mr. Blackall I have pointed out wherein the directors of the New England Council were misinformed and wherein they have distributed misleading statements in publicizing the letter and giving it wide distribution.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD as a part of my remarks the letter from Mr. Blackall to the Senator from Massachusetts [Mr. SALTONSTALL]. I am sure the Senator from Massachusetts will have no objection, because thousands of copies of the letter have already been distributed. I also ask that my reply to Mr. Blackall, in pointing out the fallacy of his letter, be printed in the RECORD immediately following.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

NEW ENGLAND COUNCIL,
Boston, Mass., January 21, 1946.

HON. LEVERETT SALTONSTALL,
United States Senate,
Washington, D. C.

MY DEAR SENATOR SALTONSTALL: In reply to your recent inquiry as to the position of the New England Council with respect to the current proposal before Congress regarding the St. Lawrence project, I may state that at their eighty-first quarterly meeting, held in Boston, November 15 last, the directors of

the council approved, on recommendation of our executive committee, the following vote:

"That it is the opinion of the directors of the New England Council that the proposed development of the St. Lawrence River for power and navigation purposes is not in the interest of the economic welfare of the New England area, nor necessary to the national defense."

This vote is essentially a reaffirmation of a vote adopted by the executive committee at its meeting in March 1941, and communicated at that time to the Governors of the New England States and to members of the New England delegation in Congress.

Our consultation with representatives of various elements in New England's economy, and the discussions within the executive committee as well, provided the basis for the above statement of the council's position.

With the exception of certain groups and individuals in Vermont, we found little or no support for the project anywhere in New England. In fact, we found vigorous opposition among the numerous elements and in diverse localities throughout our region. You will recall that as recently as 1941 the Vermont Legislature adopted a joint resolution in opposition to the St. Lawrence scheme.

We found practically no belief in New England that execution of the project would be immediately and directly beneficial to New England, though some individuals expressed the view that possibly New England should refrain from disapproving a project which is regarded in other areas as likely to prove helpful to them. However, our executive committee reached the conclusion that the prospects of benefits to other regions are not great enough or sufficiently assured to require that New England set aside its conviction that the project, if executed, would be definitely hurtful to this region.

Our conclusions may be summarized as follows:

The proposed seaway, if successful, could not fail to take traffic away from our New England railroads, possibly to the extent of impairing their ability to continue to provide the high standard of service required by New England industries in their competition with industries in other parts of the country. Owing to the freezing of the seaway in winter months, its traffic would be diverted to the railroads, thus requiring them to maintain excess equipment beyond the requirements of the warm-weather months. This would be neither economical, efficient, nor fair to the owners of those properties. Our railroads cannot be expected to compete successfully with subsidized transportation in the St. Lawrence-Great Lakes areas.

At the present time our New England ports, and especially the port of Boston, are making definite plans and undertaking large capital expenditures for the improvement of their facilities and services. These plans are based in part upon the expectation of securing a substantial flow of traffic from the Middle West and southern Canada. These plans and these expenditures will come to nothing and, indeed, will entail large losses if a great artery for ocean-borne commerce is opened up via the St. Lawrence and the Great Lakes, accessible to the areas to which our New England ports must look for a large part of their traffic. If the proposed seaway were used to the extent that its proponents predict, it would mean less and less use of our New England port facilities and greatly diminish the water transportation services available to New England industries, both coastwise and overseas. Without the seaway, New England ports and New England railroads will have a hard enough battle to secure a fair share of the traffic from the Middle West and southern Canada; with the seaway their chances of success will be negligible, except for a part of the year. We are authoritatively advised that this view is

shared by all the port interests and steamship operators on the Atlantic coast. New England steamship operators tell us that, in their opinion, the St. Lawrence-Great Lakes seaway would not afford New England shippers the kind of transportation service that they need; also that the 27-foot depth proposed is too little for modern ocean vessels and too much for lake vessels.

As to the power aspects of the St. Lawrence project, we find no definite prospect of benefit to New England. We are advised that the costs of developing power as proposed would be about \$500 per kilowatt of capacity. If only one-half of this amount is to be charged to power, the cost per kilowatt of capacity will amount to about \$250. We are informed that steam power capacity can be installed in the area to be served by the St. Lawrence development for approximately \$100 per kilowatt.

We are further advised that the assumption that a ready market exists for the 1,650,000 kilowatts that it is proposed to develop is not warranted by the currently available facts.

In 1944, New York State had an installed capacity of 5,148,000 kilowatts, and experienced a peak load during the war period of only 4,417,000 kilowatts. New York has, therefore, a surplus capacity available of 731,000 kilowatts. The six New England States in 1944 had an installed capacity of 2,858,000 kilowatts, and experienced a wartime peak load of 2,261,000 kilowatts. Thus, New England had, even during the peak of war production, a surplus capacity of 587,000 kilowatts. For both New York and New England, the combined surplus, over and above that required for war production, was 1,318,000 kilowatts.

Since 1944, there has been or is being installed in New England and New York about 600,000 kilowatts of additional capacity to take the place of less efficient units. The present-day peak loads in both New York and New England are declining from the prewar period, and the amount of surplus capacity is increasing. Therefore, it would appear indisputable that the only way to sell additional power from the St. Lawrence insofar as the United States is concerned is by replacing existing capacity. Regarding Canada, it is the understanding in the power industry that that country still has large amounts of unused hydroelectric power capacity, and undeveloped sites where large amounts of power can be obtained at less cost than on the St. Lawrence. In view of the above figures, it appears to us clear that the power made available by the proposed development of the St. Lawrence can be cheap power only to the extent that it is subsidized by the taxpayer. As a New Englander, and a former Governor of Massachusetts, you do not need any information from us as to how the people of New England feel about such subsidies.

From a national, rather than a regional, standpoint, the council's executive committee members, directors, and others whom we have had opportunity to consult are totally unconvinced that the execution of the St. Lawrence project is a sound or desirable undertaking on the part of the Federal Government at the expense of the taxpayers of the whole country. I am sure it is not necessary to review in this communication the various facts and considerations in support of this view of the project. We do wish to emphasize our firm conviction that New England, in consideration of its own economic interests, should and must disapprove Senate Joint Resolution 104 and its companion bill in the House of Representatives.

With appreciation of your consideration in inviting this expression of our views, and with warmest regards, I am

Very faithfully yours,

FREDERICK S. BLACKALL, Jr.,
President.

MARCH 7, 1946.

MR. FREDERICK S. BLACKALL, JR.,
President, New England Council,
Boston, Mass.

DEAR MR. BLACKALL: I have received a copy of the letter which you, as president of the New England Council, wrote to Senator SALTONSTALL under date of January 21, 1946.

It appears from this letter that you have been grievously ill-advised concerning the merits of the St. Lawrence seaway development and its probable effect upon New England industry—as a result of which, you have, in the wide distribution of the letter addressed to Senator SALTONSTALL, distributed misleading statements among the members of New England industry.

I wish to point out wherein the letter which you addressed to Senator SALTONSTALL conveys impressions not in accord with the facts.

Your first conclusion is that the proposed seaway would take traffic away from New England railroads, possibly necessitating a reduction of rail service and that it would be necessary for the railroads to maintain excess equipment during the winter months to handle the tonnage which would be waterborne by way of the St. Lawrence during the warm-weather months.

According to factual data furnished by responsible Government agencies, the New England railroads normally require facilities to handle freight tonnage from spring until the peak is reached in October greatly in excess of the facilities needed for the winter months.

There can be no contradiction of the fact that if the railroads maintain adequate facilities for moving freight during the summer and fall months, they will have a large amount of equipment idle during the winter months. Therefore, instead of necessitating the maintenance of additional equipment during the winter months, as your letter suggests, the development of the St. Lawrence seaway will simply mean that New England railroads will have as much use for their total facilities during the winter months as they now have during the summer and autumn.

It is evident from your statement, however, that you do anticipate that an increased amount of freight tonnage will be produced as a result of the St. Lawrence development, otherwise you would not predict the necessity of the New England railroads maintaining additional equipment during the winter months.

Your reference to subsidized transportation on the St. Lawrence is a red herring which has been continually promoted by the utility companies.

It has not yet been decided whether tolls will be charged on the St. Lawrence or not, but in any case the costs of the maintenance would not exceed \$10,000,000 a year. This is a very small price to pay to furnish access to the world markets for a hundred cities on the Great Lakes as compared with the amount now spent in subsidizing facilities of a few ports fortunate enough to be located on the sea.

I might also call your attention to the fact that the railroads were at one time subsidized to the extent of one-tenth the entire land area of the United States and during World War II hundreds of millions of dollars have been spent in subsidizing rail transportation.

Your next objection to the St. Lawrence seaway is the disastrous effect which you claim it would have on existing New England ports.

Here you are in direct contradiction with the findings of experts in Government agencies and able businessmen of your own community.

The United States Department of Commerce states:

"Boston, Philadelphia, Baltimore, and other ocean ports can expect substantial gains in shipping traffic if the St. Lawrence project is constructed. Boston Harbor, in fact, would

be one of the chief beneficiaries of the seaway. With little danger of existing traffic being diverted, Boston stands to gain a large volume of new commerce. New England imports large amounts of raw materials and foodstuffs from the Middle West, and with completion of the seaway project these would be shipped by water from the Great Lakes into Boston Harbor. At the same time, New England shoes, machinery, fish, and other products would move from Boston Harbor to Buffalo, Cleveland, Chicago, and other ports on the Lakes. A similar increase in waterborne commerce with the Middle West could be anticipated by other port cities along our seaboard."

I also quote from the testimony of Mr. Henry I. Harriman, of Boston, then president of the United States Chamber of Commerce, before the Senate Foreign Relations Committee a few years ago. Mr. Harriman estimated the effect of the St. Lawrence seaways on New England ports in these words:

"The total annual traffic available on the most conservative basis for a water route between New England and the Great Lakes will be not less than 6,000,000 tons, and very probably it will be twice that amount, and the annual saving to our New England industries will not be less than \$16,000,000. What holds true for New England holds equally true for eastern New York and Pennsylvania."

I further quote the conclusions submitted by a committee of 30 New England business leaders, under the chairmanship of Charles R. Gow, former president of the Associated Industries of Massachusetts in the later 1920's.

"The committee looks upon the proposed expenditure for developing the waterway as in the nature of a capital investment of a national character upon which exceptionally liberal dividends will be returned in the form of reduced transportation costs and the general benefit and prosperity of a large and important section of the country which at the present time is laboring under a most serious and difficult economic handicap. It further believes that the net result of the development of such a waterway will incidentally be of considerable advantage to New England and the surrounding community, both from a broad national standpoint as well as that of purely local self-interest.

"The committee, therefore, places itself definitely on record as favoring the early entrance of this Government into negotiation with the proper officials of the Canadian Government looking toward the prompt consummation of a treaty which will make possible the undertaking of the enterprise and urges upon all New England's local and national representatives the desirability of their full cooperation in every reasonable manner to bring this result about."

Why do you assume that the findings of the United States Department of Commerce and the industrial leadership of New England during the past two decades are false and readily assume that the opinions of those who oppose the development for purely selfish reasons are correct?

The statement that the 27-foot depth proposed for the St. Lawrence seaway is too shallow for modern ocean vessels is refuted by the United States Maritime Commission, which has urged the St. Lawrence project as a means of developing markets as well as for our national security.

On February 19 of this year Capt. Edward Macauley, Acting Chairman of the Commission, testified before the Senate Foreign Relations Committee to the effect that the United States now has 3,977 ships totaling 26,671,935 tons that would be able to use the seaway with a 27-foot depth.

Turning to your objections to the power aspects of the St. Lawrence project, I find that your statement regarding the costs of developing power is not in accord with the facts.

You imply that the cost of developing power would be about \$500 per kilowatt of

capacity. According to the Federal Power Commission, the costs would be about \$89 per horsepower of installed capacity, which would make the cost per installed kilowatt only about one-fifth the amount you suggest.

According to the best engineers of the War Department and the Federal Power Commission, the cost of developing St. Lawrence power would be about 1 mill per kilowatt-hour at the dam, including service and amortization charges. The cost of laying down St. Lawrence power at Providence, R. I., is estimated at 2.11 mills per kilowatt-hour, including fixed charges and overhead. This compares with a cost of generating power at the New England Power Association station at Providence of 4.32 mills per kilowatt-hour for the year 1944, to which amount must be added fixed charges and overhead.

Your statement to the effect that New England and New York already have adequate generating capacity is completely indefensible. During the war the Federal Government not only found it necessary to close down aluminum plants built at a cost of \$72,000,000 in the New York area for lack of power, but we imported every kilowatt-hour we could get from Canada on a day-to-day basis.

Can it be that the directors of the New England Council have already forgotten the brown-outs and the urgent appeals for conservation of electrical energy which were prevalent only a short time ago?

In a letter to the Secretary of State dated February 16, 1946, Hon. Robert P. Patterson, Secretary of War, speaking for the Joint Chiefs of Staff in advocating the development of the St. Lawrence seaway, gave us one reason for developing the seaway:

"A large source of cheap, dependable power, which can be generated without the use of coal or other critical combustibles and without use of crowded rail or highway transportation facilities; this power would be available in an area which, during World War II, was a power-deficit area."

The Secretary of War certainly has no reason for misrepresenting the facts as to the power shortage in the Northeast.

But, assuming your statement is correct and that we already have a large surplus of generating capacity in New England, is it unfair to ask then:

Why are the people of New England and New York, with the exception of Connecticut, required to pay the highest electrical rates prevailing in any area of the United States and why do the people of this area have to pay twice as much for power and light as do the people in the area served by the Tennessee Valley Authority which is no more favorably located for the production of hydroelectric energy than we are?

Why are 135,000 farms and rural homes in the States of New Hampshire, Vermont, and New York alone still denied the benefits of electricity?

Why is the New England power group desperately seeking new sources of power even though it would necessitate the destruction of many beautiful valleys and thousands of acres of New England's finest farm lands in order to generate this power?

Why do the utility companies claim on the one hand that they have a surplus of electrical energy and on the other hand demand that our public service commissions give them the right to destroy hundreds of our best farms?

Finally, let me call your attention to the fact that the Joint Chiefs of Staff have urgently requested the development of the St. Lawrence seaway in the interests of national security.

Why do the officers of the New England Council set themselves up as superior to the experts of our Army and Navy in determining what is necessary to our national security? Is it because they are sure the United States will never again engage in war? If they are, I sincerely hope their judgment is right, but until I see more concrete evidence of their infallibility, I, for

one, shall continue to give higher credence to the best minds of our Army and Navy.

Frankly, Mr. Blackall, the position of the New England Council directors in opposing the St. Lawrence seaway more nearly expresses the desires of the New England utility interests than it does the needs of New England agriculture, industry, and commerce, and the security of our Nation.

I hope that the directors of the council will reconsider the position which they have taken contrary to the recommendations of the War and Navy Departments, the Commerce Department, the Maritime Commission, the Department of Agriculture, and the urgent appeal of the President himself and withdraw the opposition they have expressed to the development of the St. Lawrence seaway and which can only be characterized as misguided in the extreme.

Inasmuch as you have given wide distribution to unwarranted assertions concerning the St. Lawrence development, I am inserting a copy of your letter to Senator SALTONSTALL and this reply in the CONGRESSIONAL RECORD in the hope that more people of New England will become acquainted with the true facts.

Sincerely yours,

GEORGE D. AIKEN.

Mr. AIKEN. Mr. President, I also ask to have printed in the body of the RECORD at this point as a part of my remarks a resolution adopted last Monday night by the Board of Aldermen of the City of Burlington, Vt. The resolution rescinds the resolution which was adopted by the same board of aldermen on October 4, 1945, which expressed approval of the deep sea waterway connecting the St. Lawrence River with the Hudson River, or otherwise what is known as the Champlain cut-off. In order that the resolution of October 4, 1945, approving the Champlain cut-off may not be used as a diversion in the effort to secure approval of the St. Lawrence River seaway, the Board of Aldermen of the City of Burlington, Vt., have now completely rescinded the resolution of October 4 and have adopted a very strong resolution in behalf of the St. Lawrence River seaway project. This does not mean, however, that they now do not approve the Champlain cut-off, but it does mean that they do not wish to have the former resolution used in any way to hinder or to impede the construction of the St. Lawrence River seaway.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas the Board of Aldermen of the City of Burlington, Vt., did, on October 4, 1945, adopt a resolution expressing approval of a deep-sea waterway connecting the St. Lawrence River with New York and the eastern seaboard of the United States by way of Lake Champlain and the Hudson River; and

Whereas said resolution made no reference to a deep-sea waterway connecting the Great Lakes with the Atlantic Ocean by way of the St. Lawrence River, and the development of electric power for rural electrification and other purposes as an incident of such development; and

Whereas the benefit and advantage to the Eastern States and eastern seaboard to be derived from a deep-sea waterway from the St. Lawrence River by way of Lake Champlain and the Hudson River would, in our judgment, be nil, unless and until the St. Lawrence deep waterway is an accomplished fact and the operation thereof is shown to demand a short cut to New York and the eastern seaboard; and

Whereas in our judgment the opening of deep-sea traffic through the St. Lawrence River and its attendant electric power development would be of truly tremendous value to the traffic needs of the whole Middle West section of our country, and, through moderate-cost electricity, to the rural electrification and industrial power needs of the whole northeastern section of the United States: Now, therefore, be it

Resolved by the Board of Aldermen of the City of Burlington, Vt., believing we speak not only for a large majority of the citizens of Burlington but with the approval of a majority of the people of Vermont, That we hereby register our unqualified approval of United States Senate Joint Resolution 104, introduced by Senator BARKLEY, of Kentucky, on October 2, 1945, and now pending in said Senate, relating to and authorizing participation by the United States in the construction of a deep-sea waterway connecting the Great Lakes with the Atlantic Ocean by way of the St. Lawrence River, with electric power development incident thereto, and that we urge the United States Senators and Representative from the State of Vermont in the Congress of the United States to give their unqualified and enthusiastic support to the passage of said resolution by the Congress; be it further

Resolved, That while we adhere to the ultimate advisability and wisdom of constructing a deep-sea waterway connecting the St. Lawrence River with New York and the eastern seaboard, as a later project of great value to the entire eastern section of the United States, and as a necessary complement to the St. Lawrence seaway, we feel that the present is not the time to urge support thereof, and that the resolution adopted by said aldermen on October 4, 1945, hereinabove alluded to, shall not be construed as urging any present support by any one of said last-named project to the embarrassment, even in the smallest degree of the support above urged for Senate Joint Resolution 104; be it further

Resolved, That the city clerk of the city of Burlington is hereby instructed to furnish forthwith a certified copy hereof to each of Vermont's Senators and its Representative in the Congress of the United States, and a like copy to United States Senator HATCH, of New Mexico, as chairman of the subcommittee of the Senate Foreign Relations Committee, now having said Senate Joint Resolution 104 under consideration.

RELIEF OF EMPLOYEES OF VETERANS' ADMINISTRATION FOR CERTAIN OVERPAYMENTS

The PRESIDING OFFICER laid before the Senate the bill (H. R. 4884) to relieve certain employees of the Veterans' Administration from financial liability for certain overpayments and allow such credit therefor as is necessary in the accounts of Guy F. Allen, chief disbursing officer.

Mr. ELLENDER. Mr. President, on last Tuesday, March 5, 1946, on the call of the calendar, the Senate passed Senate bill 1591 to relieve certain employees of the Veterans' Administration from financial liability for certain overpayments and allow such credits therefor as is necessary in the accounts of Guy F. Allen, chief disbursing officer. On the same day the House of Representatives passed an identical bill. I now ask unanimous consent that the Senate proceed to the consideration of House bill 4884.

The PRESIDING OFFICER. Is there objection?

There being no objection, the bill (H. R. 4884) to relieve certain employees of the Veterans' Administration from financial

liability for certain overpayments and allow such credit therefor as is necessary in the accounts of Guy F. Allen, chief disbursing officer, was considered, ordered to a third reading, read the third time, and passed.

THE EPIC OF THE GERMAN UNDERGROUND—ARTICLE BY ALEXANDER B. MALEY

Mr. BRIDGES. Mr. President, during the war we heard a great deal about the underground forces in Germany. Many of us wondered why greater effort had not been made to work with the underground forces in Germany to overthrow the Hitler regime. Various excuses were given, none of which ever seemed very satisfactory to me. The American people have known very little about the situation, but recently there was printed in the publication called Human Events, which is edited by Felix Morley and Frank C. Hanighen, an article written by Alexander B. Maley, who was a lieutenant commander in the naval intelligence service of the United States Navy. He went into Germany, and was there for a number of months investigating the underground and endeavoring to ascertain what it was doing in an effort to overthrow Hitler. The article is a very amazing one, and is rather disillusioning from the standpoint of America and her allies not working with that large group of persons in Germany who were anti-Nazi, and determined to overthrow Hitler from the inside. The article is so illuminating that I ask unanimous consent to have it printed in the RECORD at this point as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE EPIC OF THE GERMAN UNDERGROUND

(By Alexander B. Maley)

Early in the afternoon of July 20, 1944, Col. Klaus von Stauffenberg walked into a German staff headquarters building behind the eastern front, carrying a bulging brief case in which a carefully muffled time bomb was ticking toward its dead line. Casually he placed the brief case under a table on which was spread a large-scale military map placed there by the direction and for the convenience of Adolf Hitler.

When the führer entered, there were no formalities and, as customary, discussion began immediately. Standing by the map, Count Stauffenberg surreptitiously pushed the brief case toward Hitler with his foot and then, in answer to a prearranged official telephone message, apologetically left the room. On hearing the bomb explode, he hurried to the nearby airfield where a fast plane was in readiness to fly him to Berlin.

There the leaders of the conspiracy had everything in readiness to stage an anti-Nazi coup d'état. Five minutes after Stauffenberg reported that the assassination had taken place, the wires were humming with orders to selected army leaders. In far-away Paris, General von Stülpnagel arrested the entire SS staff at their headquarters in Avenue Foch. Throughout Germany, civilian-resistance leaders moved to assume control.

But Hitler was not dead. Though the explosion killed several officers, the führer himself was only knocked flat, suffering partial paralysis and a temporary concussion. The resulting confusion gave the conspirators too little time. In many cities local SS and Gestapo headquarters were informed of the failure of the plot before their

opponents knew of its assumed success. Before nightfall Stauffenberg was arrested and shot in Berlin. Radio stations remained for the most part in Nazi hands and Goebbels used them cleverly. A stooge for Hitler went on the air to ridicule and minimize the foolish joke of the plotters. That night the rank and file of the resistance movement knew only that the end of years of planning had been disastrous failure.

Actually it was proximity to success which cost the lives of many of the leaders. The trails had been made all too clear for the Gestapo manhunt, which immediately swung into action. Generals Von Witzleben, Von Brockdorf, and others were seized and executed. General Beck and Von Kluge committed suicide. Deeply implicated by his actions in Paris, General Von Stülpnagel hurried to Verdun, where he had fought as a young officer, and there shot himself. Blinded, but by some miracle not killed, he was for some days tortured by Himmler's men in the effort to identify accomplices.

With the military leaders obliterated, the destruction of the civilian underground began. Protestant and Catholic clergy, employers and former trade-union leaders, university professors and students, civil servants and members of the nobility were rounded up in batches—shot, hung, or herded into concentration camps together with their families. The number liquidated will never be exactly known, but 20,000 is a conservative estimate. When the concentration camps were finally opened and advertised as proof of German bestiality, Americans were not told that many of the miserable victims were heroic German men and women who had given their all to overthrow the Nazis.

None can say how much the German military resistance was weakened and the war shortened by this desperate anti-Nazi rising. Certainly many an American boy who would otherwise be buried in Europe is alive today because of the Germans who struck from behind the battle lines. The OWI explained to Americans that the attempted revolution was merely a plot on the part of some Junker generals who knew the war was lost and wished to save the General Staff intact for World War III. Now it would seem time for a more judicious appraisal of facts which cannot be kept concealed forever.

II

The origins of the tragic events described above trace to the start of the Hitler regime, when the Social Democrats and other parties dissolved by the Nazis decided to maintain a secret information service for their exiled leaders. While the underground was civilian in origin, a number of army officers, distrustful of Hitler's purposes, and realizing Germany's vulnerability in war, soon began to associate themselves with its work. They were welcomed by the civilian groups, for it was realized from the outset that no revolt against a totalitarian government can succeed without help from the armed forces. So, as early as 1933, a regular liaison with army leaders was established. It was under the direction of Wilhelm Leuschner, a Socialist who had been minister of the interior for the state of Hesse, and who took employment as a salesman to carry on this activity.

The necessity of secrecy for a time encouraged diversity and cross purposes in the anti-Nazi movement. The Communist organization, working in the Russian interest and, therefore, pro-Hitler when Stalin was in alliance with the Nazis, further confused the picture. Opposed to totalitarianism in principle, the liberal German underground naturally had no desire to swap a German for a Russian dictatorship.

Gradually, however, two principal opposition groups emerged, the one centering around Dr. Karl Gerdeler, the former mayor of Leipzig, the other around young Hellmut von Moltke, of the same family as Bismarck's famous general. The Gerdeler circle was

mainly composed of former civil servants and Nazi-ousted officials with a relatively conservative outlook, such as Dr. Johannes Popitz, former Prussian Minister of Finance. The Moltke circle was less restricted, containing many members of the former Center and Social Democratic Parties, trade-union leaders and leading figures in both the Catholic and Protestant churches, for instance, Pastor Dietrich Bonhoeffer, of Berlin.

In 1937 and 1938, deterioration of the international situation hastened consolidation of hitherto divergent opposition groups. A united front of leaders, including clergymen and generals, Social Democrats and Conservatives, trade-unionists and business men, began to take shape. Its greatest obstacles were the vigilance and ruthlessness of the Gestapo; the complete Nazi control of press, radio, and communications; the full employment provided by Hitler's war preparation program; and the Führer's well-advertised diplomatic achievements as facilitated by the appeasement policy.

III

During the early months of the war, when the German Communists under Russian orders were supporting Hitler, Dr. Gerdeler became the tacitly accepted head of the entire anti-Nazi front. In 1936 he had resigned as mayor of Leipzig in protest against the policy of anti-Semitism. After 1937 he was nominally employed as a promotion manager by the famous Bosch Co., manufacturers of magnetos and other electrical equipment.

Robert Bosch, head of this Stuttgart firm, had for many years worked valiantly for better Anglo-German and Anglo-French relations and was one of the few big industrialists who actively supported the underground. Many of the Jewish emigrés now safely in this country were financed and otherwise enabled to escape persecution through the aid of Bosch. When Gerdeler joined the firm it was understood that he would spend his time working against the Nazis and that subsidies from the Bosch and other companies would be used to develop resistance, in spite of the terrible risks involved.

Following the annexation of Austria, in March 1938, Gerdeler visited London to inform members of the Chamberlain Government that if they stood firm, in the Sudeten crisis, an important group of anti-Nazi generals would lead a rising against Hitler simultaneously with any overt military act attempted by the latter. Prominent in this group was Gen. Ludwig Beck, then chief of the general staff, one of those who died after the events of July 20, 1944. The Anglo-French appeasement policy ruined this plan and after the Munich Pact, Beck resigned his key post in despair. With Hitler's bloodless victories the task of the German underground became increasingly difficult, as well as dangerous. In the words of a memorandum by one of the surviving leaders:

"The year 1938 brought Dr. Gerdeler and his friends great disillusionment. Dr. Gerdeler felt very dejected and declared that Chamberlain should never have been allowed to give in at Bad Godesberg. His friends in the army, especially Colonel General Beck, had definitely decided not to follow Hitler's orders to march into Czechoslovakia, but to put the Führer out of the way. . . . In Stuttgart, however, it was agreed to give in; to continue the work together with Gerdeler and to support his people more than ever before."

IV

In August 1939, Adam von Trott zu Solz, a former German Rhodes scholar, was sent by the underground to London, where he was received by Prime Minister Chamberlain and by Lord Halifax, then Foreign Secretary. Von Trott warned the English leaders that war would make the task of the anti-Nazi movement far more difficult and that it might be temporarily immobilized by patri-

otic sentiment. Nevertheless, immediately after the German invasion of Poland, Von Trott carried through plans to visit the United States, where he stayed from September 1939 to January 1940, making contact with officials and influential private citizens in behalf of the German underground.

Among those whom he saw in Washington was Felix Morley, also a former Rhodes scholar, then editor of the Washington Post, later president of Haverford College, and now editor of Human Events. Dr. Morley, who has assisted in the compilation of this material, contributes the following excerpt from his diary, under date of November 20, 1939:

"Adam von Trott, who left Germany 3 weeks after the declaration of war, had tea with me yesterday, and today I arranged lunch for him with [Eugene] Meyer [published of the Washington Post] and me at the office. He is over, as a far-eastern expert, to attend the Conference of the Institute of Pacific Relations at Virginia Beach, but is devoting most of his time to developing a receptive attitude here toward the big change which he thinks is coming in Germany. . . . It is a heroic work in which this noble and idealistic young German is engaged. It may very easily cost him his life and he knows that he is constantly under surveillance, though whether by FBI men or agents of the Gestapo he is uncertain. The former would be quite natural and I trust that is all there is to it. . . . The chief problem is how to insure that a war of extermination against the Nazis will not force behind them all the elements beginning to cohere for Hitler's overthrow. And here Von T. confirms my feeling that if a Danzig formula could have been found there would have been no further aggression—because of the coalescing of anti-Nazi sentiment in Germany. Now it is far more difficult."

A part of Von Trott's mission in Washington was to inform the Department of State of the aims and personalities of the underground, through a secret memorandum which was also delivered to the British Ambassador, Lord Lothian. This memorandum stated the terms upon which the opposition hoped to terminate the war, after Hitler's overthrow, and included a pledge to prosecute the principal Nazi leaders for common crimes.

Von Trott's efforts were reinforced by other prominent refugees, including Dr. Heinrich Brüning, Catholic pre-Nazi German Chancellor, who visited the White House for this purpose in December 1939. President Roosevelt at first showed interest in the appeal for support of the German underground, but soon, apparently on the advice of men close to him, discouraged further contacts. Von Trott was even denounced as a Nazi agent, which is bitterly ironic in view of the sequel. At grave personal risk, after returning to Germany, he continued subversive work and was hanged by the Nazis as a traitor for his part in the July 1944 proceedings.

V

Although their numbers were decimated by arrests at home, and although they received little, if any, official encouragement from Washington and London, the leaders of the German underground continued throughout the war in their efforts to overthrow the Nazi tyranny and build a peace holding some hope for the civilization common to all of western Europe. Little or nothing in regard to these efforts has been divulged to the American public. Space permits only the briefest summarization here.

In the autumn of 1941 Ulrich von Hassel, former German Ambassador to Rome and a member of the inner circle of the anti-Nazi movement, requested a prominent American businessman then in Berlin to convey a peace proposal to the White House in the names of Generals Beck and Hammerstein.

This proposal, made at a time when Germany seemed everywhere victorious, was

along these lines: (1) Resignation, voluntary or enforced, of Hitler and all his government; (2) withdrawal of German armed forces to the borders of the Weimar Republic, excepting the Saar, Danzig, and Austria; (3) settlement of the Polish Corridor issue along the lines suggested by Marshal Pilsudski, of Poland (exchange of the Corridor for the four eastern districts of East Prussia); (4) no reparations to be asked by either side. The intermediary reached Washington December 1 but was unable to see President Roosevelt before December 7, when Pearl Harbor dashed all hopes.

In May 1942, Pastor Dietrich Bonhoeffer, later executed by the Nazis, and Dr. Hans Schönfeld, director of research for the Geneva office of the World Council of Churches, approached the English Bishop of Chichester in Stockholm in behalf of the German underground. They reported on the widespread organization and enlightened aims of the anti-Nazi movement and pointed out that "it was extremely important to know whether the Allied attitude toward a Germany purged of Hitler would be different to the attitude toward a Germany under Hitler."

The bishop personally conveyed this message to Anthony Eden, then British Foreign Secretary, on June 30, 1942. On July 17, he was told that after consideration it had been decided that no action could be taken. Continued affirmation of the unconditional surrender policy made further effort seem fruitless to many German liberals.

Nevertheless, local agents of the underground were ordered, in the spring of 1943, to select reliable anti-Nazis who could take over administration when Nation-wide revolt was launched. Many memoranda, some of which are now in this country, were written by eminent scholars, such as Prof. Alfred Weber, of Heidelberg, on the democratic reorganization of Germany. A few of these documents fell into Gestapo hands, which led to arrests and execution. Other resistance leaders were struck down blindly in the air raids. The survivors closed their ranks and carried on.

Emissaries were sent to Switzerland and Sweden—von Trott was the most prominent in the latter country—to contact British and American representatives. The contacts were made and sympathetically received at lower levels. But always, from White House and Whitehall, came the rebuff of "unconditional surrender." On this basis many German generals, not without patriotism and pride, could not persuade themselves to raise the standard of revolt.

By midsummer of 1943, however, Gördeleer had decided that the underground, even though wholly unsupported abroad; even though weakened by increasing oppression and despair in Germany, must strike. In July 1943 he wrote secretly to Field Marshal von Kluge:

"It is more and more evident to what national disaster our leadership has brought us. I direct a last plea to you, field marshal general. The hour has come for a decision of our own personal fate. Our conscience directs us this dangerous way, but it is honorable and any other will lead to a bitter and terrible regret. . . . Continuation of the war is an outright crime, because for a people there is never an heroic end, but always a having to go on living."

In the spring of 1944, in spite of almost insuperable difficulties, the general plan of government to follow Hitler's assassination was completed. General Beck was named provisional president of the projected German Republic with Dr. Gördeleer as Chancellor. The veteran Socialist Wilhelm Leuschner was selected as Vice Chancellor, with a special mandate to reconstitute the free trade unions. Ambassador von Hassell was to be foreign minister and Dr. Julius Leber, a left-wing Socialist, minister of the interior. Marshal von Witzleben agreed to serve as commander in chief of the army, even though

his first duty would be to negotiate immediate surrender. Governors, all with anti-Nazi records, were chosen for the German states, and mayors for the more important cities.

To secure the maximum of civilian support, Dr. Leber, on July 12, 1944, approached three Communist leaders to secure their cooperation. One of the three promptly revealed the plot to the Gestapo. Leber was arrested and a warrant issued for Gördeleer. Thus, on July 20, the liberal underground was forced to strike, though not yet fully prepared.

VI

To what has been said of its failure, only a line about the fate of Gördeleer need be added. For a few weeks, sheltered by friends, he escaped arrest, but then was captured in his native East Prussia. He was last seen, a prisoner of the Gestapo, in January 1945, a physical wreck who had been repeatedly drugged in the attempt to make him betray his associates. Perhaps fortunately, most of his papers relating to the underground were destroyed in a Berlin air raid before the Gestapo could locate them. But from the fragments which remain, the whole story will some day be reconstituted.

Those who went into Germany as the Nazi organization finally collapsed can best understand the heroism of Gördeleer and those who vainly worked with him. It is a country of ruined cities, of crippled and broken men, of bewildered widows and orphans conscious only of "having to go on living." Against that picture, and against the equally terrible picture of totalitarian Germany in its heyday, the tenacious effort of the German underground seems almost a miracle and will live as a memorial to the ideals for which the war was fought. As von Moltke wrote, on the eve of his execution, "none of us is dying in vain."

Yet for some strange reason the epic of German liberal resistance has been suppressed. Its heroisms have not been told; its sacrifices remain unsung. We have been led to believe that, almost without exception, the German nation concurred in the crimes of its leaders. No evidence to the contrary has even been allowed to come from the Nuremberg trials, a serious psychological error since nothing would impress the German people more than to know the stories of their countrymen who sacrificed so much for them.

To withhold any part of this untold saga can only injure those who are denied the truth. For without full understanding, in place of blind hate, neither Germany nor Europe as a whole can ever be rehabilitated. In Gördeleer's life we gave him no assistance. Now we may at least remember the words he spoke 10 years ago: "What Europe needs most is to reaffirm the concept of human decency."

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. TUNNELL in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. CONNALLY, from the Committee on Foreign Relations:

Josiah Marvel, Jr., of Delaware, to be Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Denmark.

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads: Sundry postmasters.

The PRESIDING OFFICER. If there be no further reports of committees the clerk will state the nominations on the calendar.

REGISTER OF LAND OFFICE

The legislative clerk read the nomination of Thomas F. Corbally to be register of the land office at Great Falls, Mont.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

SELECTIVE SERVICE SYSTEM

The legislative clerk read the nomination of J. Watt Page to be State director of selective service for Texas.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. BARKLEY. I ask unanimous consent that the postmaster nominations be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations of postmasters are confirmed en bloc.

THE ARMY

The legislative clerk read the nomination of Col. Thomas Lovet Smith to be assistant to the Surgeon General, with the rank of brigadier general.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. BARKLEY. I ask unanimous consent that the President be notified of the confirmation of the nominations in all cases.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith in all cases.

RECESS TO TUESDAY

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until 12 o'clock noon on Tuesday next.

The motion was agreed to; and (at 1 o'clock and 1 minute p. m.) the Senate took a recess until Tuesday, March 12, 1946, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate March 8 (legislative day of March 5), 1946:

DIPLOMATIC AND FOREIGN SERVICE

Foy D. Kohler, of Ohio, now a foreign-service officer of class 4 and a secretary in the diplomatic service, to be also a consul of the United States of America.

Reginald Bragonier, Jr., of Maryland, now a foreign-service officer of class 6 and a secretary in the diplomatic service, to be also a consul of the United States of America.

The following named persons, now foreign-service officers of class 7 and secretaries in the diplomatic service, to be also consuls of the United States of America:

William Belton, of Oregon.
V. Lansing Collins, Jr., of New York.
Fulton Freeman, of California.
Martin J. Hillenbrand, of Illinois.
Frederick J. Mann, of New York.
J. Kittredge Vinson, of Texas.

George Tait, of Virginia, now a foreign-service officer of class 2 and a secretary in the diplomatic service, to be also a consul general of the United States of America.

Maurice W. Altaffer, of Ohio, now a foreign-service officer of class 3 and a secretary in the diplomatic service, to be also a consul general of the United States of America.

Prescott Childs, of Massachusetts, now a foreign-service officer of class 3 and a secretary in the diplomatic service, to be also a consul general of the United States of America.

Earl L. Packer, of Utah, now a foreign-service officer of class 3 and a secretary in the diplomatic service, to be also a consul general of the United States of America.

G. Frederick Reinhardt, of California, now a foreign-service officer of class 5 and a secretary in the diplomatic service, to be also a consul of the United States of America.

Miss Kathleen Molesworth, of Texas, now a foreign-service officer of class 6 and a secretary in the diplomatic service, to be also a consul of the United States of America.

COLLECTOR OF INTERNAL REVENUE

Sam E. Richardson, of St. Johnsbury, Vt., to be collector of internal revenue for the district of Vermont, with headquarters at Burlington, Vt., to fill an existing vacancy.

UNITED STATES PUBLIC HEALTH SERVICE

The following-named candidates for appointment and promotion in the Regular Corps of the United States Public Health Service:

To be assistant surgeons, effective date of oath of office:

Leonard T. Kurland	Thomas A. Burch
Howard N. Frederickson	James R. Mason
Robert B. Shelby	John J. Antel
Carl A. Boswell	Gove Hambridge, Jr.
William A. Himmelsbach	John F. Bell
Lewis Francis	John G. Robinson
	Andrew L. Hoekstra
	Gordon B. Wheeler

To be senior assistant surgeons, effective date of oath of office:

Milton I. Roemer	Charles R. Hayman
Earl H. Webster	Ira Lewis
Harry E. Malley	Wolcott L. Etienne

Assistant surgeons to be temporary senior assistant surgeons, effective dates indicated:

Robert J. Burleson, January 1, 1946.	
Thomas O. Dorr, January 1, 1946.	
Harold B. Alexander, January 1, 1946.	
Martin J. Ittner, February 1, 1946.	
Marvin W. Evans, February 1, 1946.	
Senior assistant surgeons to be temporary surgeons, effective dates indicated:	
Robert J. Anderson, February 1, 1946.	
Kenneth W. Chapman, February 1, 1946.	
Henry D. Ecker, December 1, 1945.	
Gabriel P. Ferrazzano, February 1, 1946.	
Emerson Y. Gledhill, December 1, 1945.	
Robert Mc. Mitchell, January 1, 1946.	
Robert M. Thomas, January 1, 1946.	
Robert N. Lord, January 1, 1946.	
Carl L. Larson, January 1, 1946.	
Jack A. End, February 1, 1946.	
James F. Maddux, January 1, 1946.	
Mark E. Myers, February 1, 1946.	
Lloyd F. Summers, February 1, 1946.	
Randolph P. Grimm, January 1, 1946.	
Senior surgeon to be temporary medical director, effective February 1, 1946:	
Egbert M. Townsend	
Pharmacists to be temporary senior pharmacists, effective October 1, 1945:	
Raymond D. Kinsey	
Thomas C. Armstrong	

IN THE NAVY

Rear Adm. Frank E. Beatty, United States Navy, to be a rear admiral in the Navy, for temporary service, to rank from the 31st day of January 1943, in lieu of the date of rank as previously nominated and confirmed.

POSTMASTERS

The following-named persons to be postmasters:

ARKANSAS

Lamar W. Grisham, Pickens, Ark. Office became Presidential July 1, 1945.

CALIFORNIA

Michael D. Fanning, Los Angeles, Calif., in place of M. D. Briggs, deceased.

ILLINOIS

Clarence M. Sullivan, Glen Ellyn, Ill., in place of N. C. Knapp, resigned.

KANSAS

Raymond J. Renner, Andale, Kans., in place of Frank Batka, retired.

MISSOURI

Orvil T. Hughs, Lucerne, Mo., in place of D. F. Studabaker, transferred.

NORTH CAROLINA

Bonnie M. Godley, Grimesland, N. C. Office became Presidential July 1, 1943.

NORTH DAKOTA

Alvin N. Anderson, Marion, N. Dak., in place of Cleo Flugga. Incumbent's commission expired August 19, 1941.

OKLAHOMA

Clifford L. Hanan, Arnett, Okla., in place of A. J. Woods, transferred.

Homer B. Cluck, Guymon, Okla., in place of A. C. DeWolfe, resigned.

OREGON

Herbert G. Suttle, Noti, Oreg. Office became Presidential July 1, 1945.

PENNSYLVANIA

John C. Clouse, Rimer, Pa. Office became Presidential July 1, 1945.

TENNESSEE

Jona R. Clark, Haydenburg, Tenn., in place of T. S. Clark, retired.

TEXAS

Harvey L. Pettit, Bloomburg, Tex., in place of R. E. Brinkley, transferred.

E. Lilla McMichael, Cason, Texas. Office became Presidential July 1, 1945.

Thomas H. McBrayer, Lorena, Tex. Office became Presidential July 1, 1943.

UTAH

Iona S. Draper, Fountain Green, Utah, in place of U. S. Madsen, transferred.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 8 (legislative day of March 5), 1946:

INTERIOR DEPARTMENT

Thomas F. Corbally to be register of the land office at Great Falls, Mont.

SELECTIVE SERVICE SYSTEM

J. Watt Page to be State director of selective service for Texas with compensation at the rate of \$7,175 per annum.

IN THE ARMY

APPOINTMENT IN REGULAR ARMY OF THE UNITED STATES

Thomas Lovet Smith to be Assistant to the Surgeon General, with the rank of brigadier general, for a period of 4 years from date of acceptance.

POSTMASTERS

FLORIDA

Lawrence H. Raker, Crawfordville.

KANSAS

Alice M. Howe, Mount Hope.
Alvin L. Sparks, Zurich.

KENTUCKY

James T. Linville, Fourmile.
H. Clay Darnall, Hardin.
Earl D. Enlow, Hodgenville.

LOUISIANA

Gladys H. Smith, Holden.

MINNESOTA

Sadie M. Miller, Bigelow.
Henry S. Ness, Holler.

NEW YORK

Elsie B. Henderson, Circleville.
Sherleigh L. Westerdahl, Gerry.
Fannie S. Raymond, Yaphank.

NORTH CAROLINA

Margaret T. Sides, East Spencer.
Irene R. Autry, Hampstead.
Edwin C. Eller, Lansing.
Wayman C. Melvin, Linden.

NORTH DAKOTA

Walter Herman Anderson, Wildrose.

PENNSYLVANIA

Joseph F. Moran, Chinchilla.
Andrew T. Ofsonka, East Vandergrift.
Hugh W. Billingsley, Flourtown.
Leon R. Leddy, Port Clinton.
Almeda K. Francisco, St. Petersburg.
Victor D. Crum, Sinnamahoning.

TENNESSEE

Ida B. Winningham, Allons.
Pearl I. McCamish, Calhoun.
Edward B. Simmons, Westmoreland.

VIRGINIA

Harry B. Jordan, Bedford.
Samuel Washington West, Lynchburg.

WEST VIRGINIA

Luther Lacy Lilly, Coal City.
Okey L. Curry, Ellenboro.

WISCONSIN

Ruth F. Steiner, Clam Falls.

HOUSE OF REPRESENTATIVES

FRIDAY, MARCH 8, 1946

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our Father Almighty, revealer of truth and sealer of every holy purpose, where love is, Thou art. O teach us the simplicity and the sublimity of such a life that walks in faith and love, in the spirit of Him who, when He was reviled, reviled not again. Here is the upper air of spiritual aspiration in which there is fellowship of confidence and peace and eager spirits are blended into brotherhood. On this day of Nation-wide prayer for the things that make for peace, O give us high courage for our tasks with sweet remembrances of love and fellowship where complainings and discontents cease. We renew our prayer for our President, that Thy continued care and watchful providence may be over him through the course of his days. Grant that all of us may be made wiser by our mistakes, and stronger by every temptation overcome. In the name of St. Mary's holy Son. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Miller, one of his secretaries, who also informed the House that on the following dates